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Education.

Admission of candidates into the Training College at Rajahmundry on communal basis.

769 Q.—Mr. C. INDRAYYA: Will the Hon. the Minister for Education and Excise be pleased to state—

(a) the total number of applications received for the B.Ed. course in the Training College at Rajahmundry for the years 1932-33 and 1933-34;

(b) the number of candidates selected;

(c) the proportion of Hindu non-Brahmans selected to Brahmans; and

(d) what the percentage fixed by the Government is with regard to admission of candidates on communal basis?

A.—(a) The number of applications received was 476 in 1932-33 and 428 in 1933-34.

(b) & (c) The hon. Member is referred to the answers given to clauses (a) and (f) of question No. 262 at the meeting of the Legislative Council held on the 1st November 1933.

(d) No percentage has been fixed by the Government.

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II.—VOTING OF DEMANDS FOR GRANTS FOR 1934-35.

* The Hon. the PRESIDENT:—"The House will now proceed with the discussion of Demands for Grants."

DEMAND I—LAND REVENUE—RESERVED.

* The Hon. Sir ARCHIBALD CAMPBELL:—"Mr. President, Sir, on the recommendation of His Excellency the Governor, I beg to move—
'that the Government be granted a sum not exceeding Rs. 18,24,800 under Demand I—Land Revenue—Reserved.'"

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—"Mr. President, Sir, during the general discussion of the Budget, in response to the reiterated demands of non-official Members, the Hon. the Revenue Member was pleased to say that so far as resettlement operations were concerned the Government had come to the conclusion that the complicated process which had been adopted so far would be given up. But up to now we have not been enlightened as to the exact procedure which the Government want to adopt in regard to the resettlement operations that are going to take place hereafter. Resettlement operations have been a matter of considerable discussion in this House and many representations have been made to the Government both on the floor of this House and outside in the districts to the effect that the complicated process of resettlement now in vogue should be given up as it is unnecessary at least so far as the districts already settled once are concerned.

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11-15 a.m. “Resettlement does not require reclassification and so many other complex processes that are being now adopted. We were glad when the Hon. the Revenue Member told us at the last meeting of this Council that the Government have come to the conclusion that a simplified procedure will be adopted, that the settlement parties will be either much smaller or they will not be separate parties. I do not know what exactly the Government propose to do in the matter. So we should like that some light is thrown on the matter and that the Government should say definitely what is the procedure they are going to adopt with regard to future resettlements.

“Another matter about which the non-officials have been equally insistent is the question of holding jamabandis. Jamabandis had their use in days gone by when the villagers were brought together, they were actually heard and orders passed by the jamabandi officers. Those matters which used to be dealt with during the time of the jamabandi are now being dealt with in the course of the year and orders are passed either by the tahsildar or the revenue divisional officer. What is left now to be done at the time of the jamabandi is very little of passing orders; no doubt it serves one useful purpose, namely, it serves the purpose of having the accounts written up-to-date and inspected at the time of the jamabandi. This does not require the elaborate jamabandi system which is followed at the present moment. It is a relic of the old days. The Government should of course have some sort of check over the accounts and see that they are written up and brought up-to-date; that can be done by the karnams and manigars being asked to go to the tahsildar's office or to the office of the revenue divisional officer and show the accounts instead of having the present elaborate process and the incurring of so much expenditure both by the officials and non-officials. The official expenditure on account of these jamabandis are given in the Budget but the actual amount spent is very much more than those amounts. Collections are made by the village officers; sometimes the money is spent in all sorts of extravagant ways; and sometimes money is pocketed by those who collect it. The poor ryots have to pay in any case for all these things. I would ask the Government to consider this question and see whether it is not possible to give up the jamabandi system altogether and devise some method of checking the accounts either in the taluk office or in the revenue divisional office sometime in the course of the year.

“Then, Sir, the question which overshadows everything else at the present moment is the question of land revenue remission. We have discussed this matter at very great length at several meetings of this Council. A motion about land revenue remission was discussed by this House in January; then there was general discussion on the Budget when many Members expressed their views on this matter. In spite of all that, the Government have not chosen to reconsider their position and they continue to maintain the attitude they took up in the order they passed giving a sort of flea-bite—if I may use that expression—by way of remission to the ryots. One argument which the Hon. the Finance Member advanced in the course of the Budget discussion was

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that it was the middle class ryots and the richer ryots that would be benefited by the remission, and that any remission that is given will only help them. I do not wish to repeat the argument made when this question was before the House last time, but I would only add this. We will all be very glad if the Government pass orders that ryots who pay kist up to Rs. 20 will be excused all they have to pay and that the richer ryots will not get any remission at all. If such a proposal is made by the Government, then their position would be justified. Instead of doing that, they want to use the poorer ryots only as a sort of argument for the purpose of denying justice to everybody. If that is the position taken by the Government, I do not think that it will be accepted by anybody. As I said at the time of the general discussion of the Budget, here is a matter in which the whole House—practically the whole of the elected Members of the Council—is feeling in a particular way, but the Government are not prepared to accept their view of things, in spite of the fact that the Government can admittedly give effect to this proposal without any breakdown either with regard to the system of taxation or administration. It is not on the ground that the money cannot be found or it is not on the ground that several services will have to be starved altogether that the Government refuse to give effect to the practically unanimous resolution of this Council. It is based only on the supposed expediency of the matter in the views of the Government; that expediency relates to the effect such remission will have and not to anything else. It seems to me that the Government have really no justification whatsoever for the attitude they have taken up either from the point of view of finance or from the point of view—to use an expression which should not be misunderstood—of the political condition, because as I said practically unanimously the elected Members of this Council have passed this resolution. So, I beg to submit that this is a matter in which the country as a whole feels and feels very strongly. I would appeal to the Government once again to reconsider the matter especially when the arguments they have advanced do not appear to be sound or valid. It is up to them to reconsider the matter again and do justice, even from the political standpoint—to meet the wishes of the people. I put it on both grounds. If the Government would not accept it, the result will be the people will be more and more helpless. They will feel that they cannot get justice in any constitutional way. I am sure it is not the intention of the Members of that front Bench to drive the people to that frame of mind. So far as we in the Council are concerned, we can only repeat this request to the Government and in case they are not prepared to accede to our request, we can only show the power we have got in our hands by rejecting such of the items in this demand as we can. That is the only course that is open to us in this Council under the rules under which we are working. In the first instance I move this motion for the reduction of Rs. 100 from the demand. In replying to this motion if the Government are not prepared to say that they will reconsider the matter, I think it will be the duty of this House to reject the demand for Land Revenue Department as a whole. That is

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the only possible course for us to adopt in this Council. I can say that at least on behalf of many Members of the House on this side; that is the course that we will have to adopt. With these words I move the motion standing in my name, viz.:—

‘To reduce the allotment of Rs. 39,000 for Taluk Establishments—Pay of Establishments by Rs. 100.’ ”

Mr. ABDUL HAMEED KHAN:—“Sir, I have given notice of a similar cut motion and I do not think it is necessary to move it since my hon. Friend Mr. Ramalingam Chettiyar, has moved one already, and it is before the House. I second the motion moved by my hon. Friend to discuss the policy of the Government with regard to land revenue. We, in this Council, have been asking the Government for a long time to bring forward legislation for regularizing the land revenue system in this Province. It has been a cry in the wilderness as it were, without any response from the responsible section of this House—I mean the Cabinet of the Madras Government. Evidently they have some difficulties but if they make up their mind, I am sure they can overcome those difficulties and the land revenue system of this Province could be regularized. Although a certain maximum percentage has been fixed by the Government some time back, yet they are not able to meet the situation whenever it arises in the country and to regulate taxation to suit the situation. We have seen for the last two years that the Government are not able to come forward and meet the situation that has been created on account of the unexampled and unprecedented economic depression and fall in prices not only in our Province but in the rest of the country. From the Report for the year 1932-33 which has been handed over to us only very recently we find that for the fasli 1341 there has been a decrease of Rs. 15,838 whereas in the cesses and ryotwari miscellaneous revenue there has been an addition of Rs. 3,88,724. The person who is responsible for drafting the report says that there has been increase in the number of attachments and sale-notices; there is also considerable rise in the number of defaulters whose properties were sold away due to economic depression and fall in prices of foodstuffs. The Government had to take stringent steps against the defaulters, though the Government were aware of the fact that there was fall in prices and there had been economic depression. The Government do not seem to think that the situation is so serious as is represented by representatives of the people in the House. Even though the Government themselves admit that there is unprecedented economic depression in the country, they have taken such severe action as coercive processes which have increased so far as distraint and sale-notices are concerned. For the fasli 1340 the number was only 84,873 whereas in fasli 1341 the number has increased to 89,745. With regard to sale notices also the same is the case; the number has increased from 57,036 to 66,889; the number of defaulters has increased from 6,795 to 10,062.

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a.m.

“This shows, Sir, that the Government, although they admit that a serious situation has arisen, think at the same time that the ryots are

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able to pay, that the situation is not so serious after all and that they can take coercive measures for the collection of land revenue. The number of cases where coercive processes were adopted has increased considerably. Of course the Government issue orders to the Collectors that they should collect a certain percentage, whatever might be the consequences to the people concerned. Those orders are simply obeyed by the District Collectors who are no better than collectors of land revenue or rent; they are simply given the high-sounding name of 'Collectors.' I have found, from my own experience, that their main work consists of the collection of a certain percentage. In most of the districts the percentage has been 98.04; that is the figure mentioned in the administration report. When we find that only about 1 per cent has been left uncollected, we can easily understand what kind of steps the Government should have taken to collect such a high percentage. If any Collector is not able to show a good collection in his district, not only his subordinates but sometimes even he is subjected to some serious action. If one Collector does not collect as much as the Collector of a neighbouring district, then the former is taken to task for the smallness of the collection. Naturally, when that is the attitude adopted by the Government, the Collectors, in order to save their own skin, have to force the people even if they are unable to pay, to pay somehow or other, either by sale of jewels or their all or otherwise and they become bankrupts. That sort of thing is going on, and the Government believe that, although the depression still continues, the people can pay. Such anomalous statements are found in the report.

"With regard to settlement, Sir, I think the Government will be well-advised in revising their method of settlement. I cannot understand why the Government should insist upon mixing up the water-cess with the land revenue. They must separate the water-cess from the land revenue. There is no question of assessing wet lands differently from dry lands. Why not assess all lands alike and then charge water-cess separately? If that is done, we would be in a position to know what exactly has been collected in the way of water-cess. Then, Sir, the Government are also charging water-cess in just the same manner as a Shylockian merchant, who invests a certain capital in his business and also allots a certain percentage as profit from out of the business. A similar kind of business is now carried on by Government. The expenditure incurred on irrigation works is made up in a few years by the collection of taxes and then profits are made. The Government are there to help the agriculturist, and I do not know why they should charge a certain percentage of profit on the amount they have spent on the irrigation works. They sometimes charge twice, thrice and even four times the amount spent on particular irrigation works. After a few years, what is collected by the Government is profit and nothing less. I hope, Sir, the Government will consider the advisability of separating water-cess from land revenue.

"Sir, my hon. Friend, Mr. Ramalingam Chettiyar, has already brought to the notice of the Government once again the public opinion

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in the Province with regard to land revenue remission. That opinion has been reflected in this very House more than once, practically unanimously all the elected Members and even some of the nominated Members voting in favour of the 25 per cent land revenue remission. Some hon. Members on all sides of the House even went to the extent of, asking the Government at least to accept the recommendations of the Finance Committee, so that they might go some way in mitigating the difficulties of the agricultural classes. The Hon. the Finance Member stated in the course of his Budget speech that, if the Government agreed to any land revenue remission, it won't help the ten-rupee pattadar, but that it would only help the rich landlord or mirasidar and that therefore there was no purpose in giving the 25 per cent remission. Well, Sir, we ask the Government now to stand by their word. Why don't you give that remission to the poor people, if you are really serious in what you say? Or was it only an argument that was advanced in support of their point of view? If they are really serious about what they say, why not give the remission to the poor people alone? I hope, Sir, the Government will reconsider this question and agree to give at least 18½ per cent remission, which has been recommended by the Finance Committee."

* Rao Bahadur A. T. PANNIRSELVAM:—"Mr. President, Sir, the other day in the course of his reply to the general discussion of the Budget, the Hon. the Finance Member was pleased to refer to my speech and said that myself and people who shared my view-point would be perfectly satisfied with a remission of only 18½ per cent which was recommended by the Finance Committee. I may reiterate that statement, Sir, and say that personally speaking, I should be perfectly satisfied with it, though I might add that the satisfaction which I should derive by the acceptance of the Finance Committee's recommendations would be the same as the satisfaction which a starving man on the road side feels when a passer-by throws to him a morsel or a mouthful of food. It might be that the morsel thrown would not go to any considerable extent in appeasing the hunger which the man is suffering from; perhaps it might even go to merely whetting his appetite; but nevertheless he would have the satisfaction that the passer-by had some sympathy towards him and made a generous gesture; he would have the satisfaction, if not of material substantial benefit, at least of having had brotherly sympathy. It is at least that satisfaction, Sir, that I say the Government should have afforded to us by accepting the Finance Committee's recommendations. But now, Sir, the present attitude of the Government reminds me of that rich man who would refuse even the droppings off his table to poor Lazarus. That seems to be the attitude that the Government are adopting in this matter.

"There is just one other aspect which I should like to place before the House. As I said, we would be satisfied with the 18½ per cent. When I say 'we', I mean not merely hon. Members sitting on this side of the House, but all people within the House and people in the country who have placed their faith in the *bona fides* and the good-will

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of the Government, in their sense of sympathy for the poor and the depressed, in their interests being identified with the interests of the agriculturist, the tax-payer. Persons like myself have believed in it in the course of our public life; we have not merely believed in it ourselves, we have made it a part of our propaganda with the other people—that in matters concerning the Government, we should adopt a constructive and constitutional policy, that in any grievances that have to be remedied, we have to adopt the constitutional course of appealing to the Government and that we should always believe in their sense of fair-play and justice. On the other hand, Sir, there is another group which says: 'We have lost all faith in the Government; it is no good going to them; if we want to get anything from them at all, we must adopt the methods of non-co-operation, by shaking our fists at them, whether in earnestness or in bluff.' There are these two groups, and may I ask if, by the policy which the Government have been adopting, the Government have not thrown us overboard, us who thought ourselves to be the friends of the Government, us who thought ourselves to be the supporters of the Government? Have they not placed us in a false position in the eyes of the public? And when I say I would be satisfied with 18 $\frac{3}{4}$ per cent, I say I would be satisfied to this extent at least of strengthening the hands of the Finance Committee—a responsible body constituted of officials and non-officials from within this House which went into the details of the administration and found out, with the best sympathy possible towards the ryot, that this was the maximum relief that could, with safety to public administration, be afforded. I therefore thought that by accepting this recommendation, the Government would not in any way suffer, while by affording greater relief than that it might be the case that the efficiency and proper administration of their departments would suffer. That satisfaction we have been denied, Sir. I may say that the attitude which the Government have been adopting has sometimes led even myself to think whether it would not be worth while following the policy which Mr. Ramalingam Chettiyar has suggested. I might just say, Sir, for the information of the House, the way my mind worked in this matter. We have begged, prayed and pleaded times without number. They have all had no effect. We have believed in the Government, but they make us believe that we were mistaken in putting our trust in them. Such being the case, why not exercise our power to the fullest extent, knowing as we do that even the fullest extent of it is not likely to be effective? Perhaps if our vote is going to have any substantial effect on the amount that would be allotted for the departments, that might make us hesitate. We have only to cut down the grants; the Government are not going to stop there; it will be open to the Governor to certify them and he will, in the natural course of events, be compelled to certify them and the administration will still go on as smoothly and as nicely as possible. But nevertheless, we should have the satisfaction of having shown to the Government our full strength. That was a point of view, Sir, which at one time I thought would be a proper one to adopt under the circumstances.

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"But after all, Sir, it is only showing our impotent rage, if I may use that expression. While I perfectly sympathize with my hon. Friend from Coimbatore, I should certainly not be able to go further than the hundred rupee cut; I feel that there is a different aspect to be considered with reference to the full demand being thrown out. It was only last year that His Excellency the Governor in his speech referred with legitimate pride to the fact that during the tenure of his office, he had never had to certify a demand. With a Governor who takes a legitimate pride in that fact and who has never missed an occasion to make it public how very anxious and desirous he was to set this Province on the wheels of Provincial Autonomy, would it be proper on our part to force him almost at the end of his tenure to adopt a course which obviously is unpalatable to him? From that point of view, I could not persuade myself into exercising that impotent power that statutorily is vested in us. But, Sir, I hope that the Government would not take it that by not voting for the rejection of the full demand, we are in any degree content with $12\frac{1}{2}$ per cent remission and when we say that we should be satisfied with $18\frac{3}{4}$ per cent, let not the Government understand that that is going to afford us all the relief that we need or all that would satisfy us. Far from it, Sir, we realize your limitations, we realize that funds have to be found for running your departments and retrenchment cannot be effected all at one moment. The amount of relief proposed to be given is to cost only about 12 or 13 lakhs and to this the Hon. the Finance Member himself referred in a manner which led us to believe that it was a negligible figure. To use his own expression, 'This is a meaningless haggle between the two sides.' The following are the words he has used:—

'Are we to infer that the measure of the necessity is what the Government have given plus 13 lakhs? But, if not, what does this figure represent except the result of a haggle and a rather meaningless haggle between the two sides.'

If it were not unreasonable and nothing is going to be affected one way or the other, why not we be given what we ask? If this is a haggle on our side it is as much a haggle on your side also. Sir, we feel that by accepting the recommendations of the Finance Committee, you will be showing a generous gesture. I hope that the Government would at least at this stage extend their sympathy to the poor distressed people of whose condition the Government are perfectly aware.

"Before I conclude, Sir, I should just say a word to the Hon. the Revenue Member. This is perhaps the last Budget session during which he will honour us with his presence in this House. In spite of the fact that the Hon. the Revenue Member who is responsible for the Revenue Demand has not been able to give us that amount of relief which we would have liked, I dare say I represent the feeling of the House when I say that he would have liked in his own heart of hearts to have given this relief. I should like to take this opportunity of expressing to him our gratitude for the kindness and sympathy which he has always evinced, whether it be to hon. Members of this House or others who visited him in his own office or whether it be to the mirasidars and other landholders who waited on him in deputation

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during his innumerable tours in the various districts. I may also express a word of thanks to his worthy Secretary, Mr. Thorne, who, I believe, is also leaving us at almost the same time. It is with a personal touch that I have to say how as the Collector of the district in which I live he was always anxious to safeguard its interests. He has been always kind hearted and in this question also, I feel sure that we would have much sympathy from him.

“ In conclusion, I appeal to the Government to give us the remission of 18 $\frac{3}{4}$ per cent.”

* Mr. M. S. SRESHTA:—“ Mr. President, Sir, I join in this debate for the purpose of discussing the need for reducing the cost of collecting land revenue and for recovering tax on income from land by a simpler procedure than at present. Sir, the Hon. the Finance Member has said that however willing he might be to lighten the burden on the ryot, he has not found any simpler alternative for collecting the amount of revenue necessary for carrying on the Government. We all appreciate his difficulty and it is with the object of informing him of one way of getting out of the difficulty that I am offering my remarks to-day. The cost of collecting any tax is an important factor in considering whether a tax is legitimate or not. The cost of collecting land revenue is, I am told, about 20 to 30 per cent. I was told that originally the cost of collecting was considered to be about 30 per cent and after some controversy, it was decided that the cost must be put down at 20 per cent. Whether the cost is 20 or 30 per cent, it is certainly a very high proportion of the tax. As regards income-tax, we understand that the cost of collection is only 2 per cent. Is it not possible to collect the necessary revenue at a cost of 2 to 3 per cent? Hon. Members are aware that this is not a new question. It has been considered on several occasions. In the report of the Economic Enquiry Committee, the question of the method of collecting land-tax was considered and it was pointed out that the present system was extremely elaborate and involved various steps and various items of procedure which increased the cost of collection. It appears that the Settlement Officer has first of all to divide the soil into main classes according to mechanical composition and chemical properties of the land dealt with. Each class of soil is then subdivided into sorts with reference to its fertility as ascertained by the examination of the constituents of the soil and subsoil. As has been pointed out by Mr. Srinivasaraghava Ayyangar in his Memorandum:—

‘ The Madras Settlement operations, though conducted under elaborate rules, resolve themselves in the final result into the simple method adopted in Bombay, firstly because the minute and extended enquiries which they involve are in most cases impossible to carry out and have frequently been dispensed with.’

“ Apparently the methods of settlement even now are extremely elaborate, otherwise the cost of collection will not be so high as 20 to 30 per cent. This question has been gone into by the Taxation Enquiry Committee and they have pointed out that if the object of all these steps were only to find out how much had to be paid, the cost would

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be much less. But the steps taken, the survey operations and so on, serve the subsidiary purpose of providing a record of rights which is very useful to people and for this purpose the Taxation Enquiry Committee recommended that this system might be continued. Sir, all these statements and recommendations were made in prosperous days, but now we have come on lean days when it is necessary very carefully to scrutinize all expenditure. Is the House still satisfied that these measures which have been considered meticulous by the Committee and not necessary for the purpose of taxation should still be continued? There is a silver lining in the cloud. The Hon. the Revenue Member told us the other day that he had considered the question of reducing expenditure on survey operations. The question was raised by my hon. Friend, Mr. K. P. Raman Menon, that the whole Survey department be abolished as a means of reducing expenditure. This is the reply given by the Hon. the Finance Member:—

‘Mr. K. P. Raman Menon proposed the total abolition of the Settlement Department as a means of reducing expenditure. We have recently made an important change in our settlement policy and in future the Settlement staff would confine its attention to such matters as are necessary for the periodical revision of assessment and would no longer be required to clear up arrears which have accumulated in the Revenue Department and bring revenue accounts up to date. We have already reduced the number of Settlement parties from four costing 8½ lakhs a year to three costing 5½ lakhs a year, and under the revised system, we hope to reduce the annual cost of Settlement parties to 2½ lakhs.’

“The Revenue Member has further added ‘we shall, however, have to strengthen the Land Records staff for the maintenance of the revenue records up to date.’ This shows that consideration has been given by the Government to the question of reducing the cost of collection. Is it necessary to keep up a very extensive Land Records department to maintain the record of rights. As a matter of fact, I have personal experience that these survey operations are not very useful even for private parties. I had a bitter experience, as a result of recent survey operation, when a portion of my land was given away to my neighbour. I had to spend a lot of money and ultimately got back the portion. (Mr. A. Ranganatha Mudaliyar: ‘All placed in that position may not be M.L.Cs. to get back possession of the land made over by the Survey department.’) As Mr. Ranganatha Mudaliyar says, there may be others who are not M.L.Cs. and may not be able to get back their portions from their neighbours. I want to know whether it will serve any purpose to keep up this extraordinary system for the purpose of settling private disputes when as I just now pointed out a private dispute was started by the settlement operation and not settled by it. There must be many other cases of this kind and in fact, I had another. When I returned to my place after attending the Council, one fine morning I found that my portion of land was again given away to my neighbour by the town surveyor. Here too, I had to take action and I got back the portion. I want to know how many such incidents have happened. I am therefore very doubtful whether this record of rights will be very useful for private parties and even if it will to some extent be useful, I think the surveys which have been made already and the records which already

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exist are sufficient as a basis. That is what is happening in France, where the survey records are very old dating back to 1850 or so and in Sweden also it is the same thing. As a matter of fact, our system is very obsolete and it is a legacy from our old Indian rulers. I am also told it is not an impost of the British Government, but it is a legacy which they have derived from older Governments. But, whatever it may be, I think we cannot go on with these obsolete methods and it is desirable that some drastic action should be taken to deal with the matter. If Rs. 100 are to be collected and Rs. 25 go for the cost of collection, the remainder is Rs. 75, and if we add to it Rs. 2 or 3, towards the cost of collecting as for income-tax, we get, says, Rs. 78. Therefore, the better method of collecting the tax would be to collect only Rs. 78 by a cheaper method as against Rs. 100 by the present method; all at once we get a remission about Rs. 22 or Rs. 23. I make this suggestion to the Government, and as my hon. Friend from behind suggests, I make a present of my suggestion to the Government. It might be thought that on the eve of the new Constitution, we should not take up such big questions. Unfortunately, economic questions do not wait. They might have waited till the new Constitution arrived, but the great economic depression and the troubles from which we are all suffering have come to us without any regard to the new Constitution. Therefore, it is necessary that at the present moment the Government also should tackle the question boldly and I am sure, that if they tackle the question boldly, they will be in a position to leave a better legacy to the new Constitution than they think they are doing now by this balanced budget.

“Then, Sir, I have a great many other points on which I might dilate, but I wish only to say that this system of collecting land revenue, as carried out in this country, is more or less peculiar. It is not to be found in Australia where taxation is on the income derived. But here, as pointed out by the Hon. the Revenue Member the other day, even improvements are coming in for a share of the Government revenue whereas in many countries the tax is on the unimproved value of the land, that is to say, on the value of the land only without including improvements. I think it is a great hardship and this will mean an indirect inducement to the people not to improve their lands. There are a large number of lands which are capable of improvement and they are not improved because the more you improve, the more you have got to pay—no doubt you get a share of the thing for yourself—but still there ought to be a better system than the present one.

“Then, coming to my own district of South Kanara, I must say a few words. There, our grievance is that our improvements cost a great deal more than in other districts. To convert a dry land into a wet land is a very big process. No doubt, we get a lot of rainfall during three months of the year, but most of the rain-water goes into the sea and practically very little is left on the soil; and the soil is very poor. The result is that wet cultivation is not such a simple procedure in South Kanara as it is perhaps thought to be. People are very industrious in that district and they try to convert as much of the dry land into

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wet land as possible every year. Further, digging there is a more complex procedure than in the East Coast, because the nature of the soil is very rocky and so the process costs a lot. I therefore think that at least in the case of South Kanara an exception might be made, as also in certain parts of Malabar where improvements cost more, and the question might also be considered whether assessment should be levied on the improvements of the kind I have mentioned.

“ I wish to end with just a few words. I think a complete overhauling of the system of collecting revenue is justifiable and I trust that even if it is not done at once, steps will be taken to make a start. The remission of 25 per cent immediately will no doubt affect the revenues considerably, but if simultaneous steps are taken to reduce the cost of collection, it will be possible from next year onwards or from two years onwards, to collect more revenue. It is no use having such a costly system of administration for collection purposes and then saying we must have a very heavy land-tax. The land-tax in this country tells very heavily on the ryot. It is very crushing and I do not think that any of us are exaggerating when we say that if there is no remission there may even be political trouble. We do not want any political trouble. This is only an economic trouble, but let us not play into the hands of those people who will take advantage of this economic trouble.”

Mr. A. RANGANATHA MUDALIYAR:—“ Mr. President, Sir, I take it that this motion is intended to tell the Government that they should show more concession to the ryots than they have hitherto done. It is on that basis that I want to speak on this question and I presume it is going to be on that alone that a vote of the House will be taken. Sir, if I try to argue with the Hon. the Finance Member that the commutation prices which they have fixed at the last resettlement are too high or excessive, perhaps he may retort by saying that this is not the occasion to urge all such arguments. Therefore, I content myself for the moment in dealing with the economic aspect of the case and nothing else.

“ Sir, the Government seem to think that the remission of 25 per cent recommended by this Council is unreasonable and cannot be conceded by the Government. I want to know what is it that they are prepared to concede at all? What is the history about this matter of concession? At one time, Government called for reports of district officers and after a due consideration of all the reports received by them, they came to certain conclusions. One of them was that they must give a 12½ per cent remission in regard to dry lands also in certain areas. Then, Sir, they placed all their proposals before the Finance Committee and with the Finance Committee, the Government came to a compromise. Have they upheld even the compromise arrived at with the Finance Committee? They adopted some parts of their proposals which seemed to be convenient to them and ignored the other suggestions. And, have they carried out in toto their own proposals? Not that either. Because I find that in regard to some matters they have adopted a policy, more convenient, so far as they were concerned, that is to say,

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restricted their concession only to $6\frac{1}{4}$ per cent in all dry areas. The point is, are the ryots in a position to pay even the assessment as reduced last by the Government? In regard to that I hope, Sir, you will permit me to go into the history of one district, because, if I speak in general terms, the Government may question me 'Where are your facts and figures?' Therefore, Sir, I will take the case of only one district and try to trace its history, not for 5 or 10 years, but for 40 years. Here is the account of the district in question:—

Fasli 1301—Season very unfavourable.

Fasli 1302—More favourable than the previous year.

Fasli 1303—Season on the whole favourable.

Fasli 1304—Season not as favourable as the previous year.

Fasli 1305—Season on the whole favourable.

Fasli 1306—Season very unfavourable.

Fasli 1307—Season on the whole generally favourable.

Fasli 1308—Fairly favourable on the whole.

Fasli 1309—On the whole not favourable.

Fasli 1310—On the whole favourable except in three taluks.

Fasli 1311—Season normal except in two taluks.

Fasli 1312—Season a good one.

Faslis 1313 and 1314—Could not get at the records.

Fasli 1315—Rainfall not in defect but badly and unevenly distributed.

Fasli 1316—Better than 1315 for Mungari crop.

Fasli 1317—The effect of the unfavourable season can be seen in the outturn of the crops.

Fasli 1318—Season on the whole not favourable.

Fasli 1319—Yield of several of the late crops below normal.

Fasli 1320—Yield of the late crops was very fair and better than in the previous year, though below normal.

Fasli 1321—Insufficient rainfall.

Fasli 1324—Rainfall on the whole reasonable for early crops while inadequate for the late crops.

Fasli 1325—Good.

Fasli 1326—8 to 11 annas outturn.

Fasli 1327—Outturn of crops, especially cholam, poor.

Fasli 1328—Rainfall in June and July scanty and quite insufficient. August rains below the average.

Faslis 1329 and 1330—Bad years due to poverty of soil.

Fasli 1331—Large relinquishments due to poverty of soil and successive bad season."

Mr. P. V. KRISHNAYYA CHOUDARI:—" May I know to what district the hon. Member is referring? "

Mr. A. RANGANATHA MUDALIYAR:—" My hon. Friend is asking for what district these figures relate. I would reply to him by saying, that if he will only take the trouble of referring to the figures of his own district, I am sure he will find a parallel to this case. I want to

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give facts and figures in regard to the district with which I am associated. I repeat once again, if only hon. Members would take the trouble of finding out similar information for their own districts, I have not the slightest doubt that they would be able to make even a much better case than they can do if they are unaided by statistics.

“Then, Sir, it may be said that these are the opinions of one department but if you take the Agricultural department, you will find that the statements I have made are substantiated by the report of the Agricultural department also:

Fasli 1316—Insect pest. Jonna suffered by stem-borer—Unfavourable weather.

Fasli 1317—One of failure owing to the failure of rain.

Fasli 1318—Season up to a certain extent favourable though it closed with a very trying period of drought which severely affected the yield of Jonna. Korra excellent but cotton was correspondingly poor.

Fasli 1319—Season was on the whole fairly favourable; the close of the season was as usual marked by a long period of drought.

Fasli 1320—Season somewhat unfavourable for black cotton soil crops. The rainfall being in excess of requirements adversely affected the growth of both early and late crops.

Fasli 1321—Season very poor one. Season unfavourable more particularly for food crops.

“Sir, I do not want to tire you or the House by reading out more figures, but you will find that these are from the official reports of the departments concerned.

“Now, Sir, as regards the last 10 or 12 years, I do not think that the House needs any information from me, as to the plight of the ryot. The large number of takavi loans issued, the difficulty of collecting revenue, the suspension and periodical remission, all these would conclusively show, how bad is the economic condition of the ryot. Government may turn round and say: very well, we have given them some relief by way of remission and so on. But, I submit, Sir, that any relief Government may give by way of remission or suspension, can never be adequate for the loss that the poor ryot has put himself to. What does cultivation cost? It is a very laborious process. Beginning from the time of cultivation, he has to plough the field, then sow, do intercultivation, watch the growing crop and do many other things, which all cost a lot of money and labour. If in the end the produce he gets is negligible, the relief of a few rupees that the Government may give by way of remission is not really any adequate relief for the loss that the ryot has undergone. The Government may say, ‘Very well, then why do you ask for any remission at all, if the relief thereby is so small?’ My reply to it is, Sir, that from the point of view of the Government the two or three rupees may appear to be very small, but I submit that, from the point of view of the ryot, it is something very appreciable. Because it means 30 or 40 measures of cholam for the ryot, which means food for two months for him. I therefore request

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the Government to take a right view of the matter. If the Government insist on collecting the revenue in this manner, it would only impoverish the ryot beyond all hope and I venture to say that it will prove disastrous to the Government, in the long run.

“ So, Sir, even now I hope the Government will give their best consideration to the whole matter and take a statesmanlike view of it and give, not necessarily all the relief that the ryot is justly in need of, but at any rate as much as they can give and certainly much more than what they have already given.”

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* Mr. P. C. MOSES:—“ Mr. President, Sir, the purpose of my speech is to bring to the notice of the Hon. the Revenue Member the policy of Government with regard to the lease of lanka lands in the Godavari and Guntur districts and the changes it had suffered at the hands of the Board of Revenue. Sir, the Government have given the power to the Board of Revenue to sanction the leases under favourable terms to the depressed class societies, considering their general economic condition. A large extent of land was thus reserved for the depressed classes so that each member of the depressed class got what he desired and the rental was fixed not only with reference to the productivity of the soil but also with regard to the economic condition of the ryots. But now that policy has undergone serious changes at their hands. The first is with regard to the extent of land given to the depressed classes and the second relates to the rental that should be demanded from the depressed classes. Sir, the Board of Revenue ordered that the lands shall be divided between the depressed classes societies and caste ryots on the basis of population. Well, as a result of that a member of the depressed class who was hitherto getting an acre is now able to get only 30 or 40 cents which is too meagre an extent for anybody to live upon. Further only the poorer sort of land was reserved for the depressed classes. Another change which has come over at the hands of the Board of Revenue is with regard to the renewal of the lease. The rent was formerly low, but the Board of Revenue issued an order that a fair rent shall be demanded from the depressed classes. This came into effect last year and the result of the order is that the societies were asked to pay from 2 to 7 times the rent they were formerly paying. When they pleaded inability the land was taken away and the lease was sold in auction. The good intentions of the Government have thus been defeated by the orders of the Board of Revenue. So I appeal to the sympathy of the Hon. the Revenue Member to go into this question. I know he is always generous and I hope that he will be pleased to grant that the concessions he was pleased to grant until recently. The condition of the members of the societies is miserable. If the orders of the Board of Revenue were to be given effect to, in the next two years, I am sure, there will be no land left to the depressed classes. In that part of the country no labour can be found and no land also for cultivation. Thus it is difficult for them to eke out their livelihood. I therefore appeal to the Hon. the Revenue Member to see that the original intentions of the Government are carried out.”

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* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"Mr. President, Sir, in speaking about the land revenue policy of the Government I wish to say a few words about the method adopted by Government in assessing the land. The other day, Sir, I asked a question whether the ryots' improvements are assessed by Government in the West Coast districts, and the reply was 'Yes.' But that reply was modified by the statement that the nature of the cultivation of a particular land is not in itself an improvement of the kind protected by this principle. I sent another question to know what are the kinds of improvements protected by that principle. But that question, Sir, was disallowed. Several times I sent the question but it was not admitted; I find there is some mysterious way of admitting questions."

* The Hon. the PRESIDENT:—"There is a wise and plain way of admitting questions and there is no mystery in admitting questions at all."

Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"I am glad to have that assurance from you. I hope hereafter it will be so; because I know similar questions were admitted in the Assembly. But they are not admitted here. If you ask whether the Government will be pleased to do a certain thing it is ruled out as suggesting action."

* The Hon. the PRESIDENT:—"The hon. Member must be aware that there are certain rules under which questions are admitted. He can now confine his remarks to the demand, and not to admission of questions."

* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"The other day the Hon. the Revenue Member was pleased to say that the digging of tanks and wells were among the improvements protected by the principle. That is to say if any dry land is converted into first class or second class paddy land by digging tanks or wells that kind of improvement is not taxed. That is to say the land will be charged a dry rate as the improvement is done by the ryot. So also if a hilly land is converted into a garden land with water obtained by the ryot by digging wells, etc., it will not be taxed as a garden land. But he further said that if a hill is cut and brought down to the extent of 100 or 200 feet by spending thousands of rupees it won't be considered as an improvement of the ryot. That is very hard, Sir, because thousands of rupees are spent in cutting and levelling the hill and bringing down the level of the hill to the level of the adjacent fields. If that is not taken into consideration, it will be very hard. The West Coast is a hilly country and they have to cut down the slopes and level and lower them down to the level of paddy fields below and a lot of labour and expenditure will have to be incurred. I hope, Sir, the hon. Member will be pleased to tell us which are the kinds of improvements which are protected by the principle of not taxing the ryots' improvements. I thought it was the Government's idea to abolish the settlement parties and reduce them to the minimum possible. I find still there are three parties working. The idea was to see that the land records tahsildar with the help of two or three surveyors keeps the land records up to date; because the

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survey takes place once in thirty years. The survey parties visit the districts once in thirty years; what they do is this. The subordinate field surveyors register one man's land in another man's name. Because they are also given the power of registering the lands and they do it in the most reckless way. As pointed out by Mr. Sreshta they register the name of one man for another man. There are several such instances where things that are settled after thirty years of litigation are unsettled by these survey subordinates by registering carelessly. They do not expect much compensation for this change of registry. Even if a tender coconut is given they are satisfied. Perhaps by working in the hot sun they feel very thirsty. So this power of registry should not be given to the survey parties if they are to continue to work hereafter also. As regards remission, Sir, this important question was brought to the notice of the Government sufficiently well. Last year a resolution was passed unanimously for reducing the assessment by $12\frac{1}{2}$ per cent. But nothing was done to that extent. During the budget discussion also last year the same point was raised and sufficiently discussed. This year again with the single exception of Sir A. P. Patro among the elected members, the Council almost unanimously voted for 25 per cent reduction; during this year's general budget discussion also the same thing was repeatedly urged but Government do not seem to be convinced or at least moved by the pitiable condition of the ryots and the appeals made by this Council. Sir, I want to say that if the Government has not been satisfied by all that has been said during the last two years I think the Government will drive the ryots to desperation. That will be a serious thing and I hope Government will take steps to avoid that."

* Mr. C. BASU DEV:—"Mr. President, I am rather nervous when I get up to speak on this question. I may be told, as I have often been told that I have no authority to speak on the question of land revenue as I do not myself possess land. Mr. V. M. Ramaswami Mudaliyar had said that because I did not hold an inch of land I was not competent to speak on questions pertaining to land revenue. Sir, he professes to be a labour leader. Are we to understand that, because he is not a worker himself, he is not competent to speak about questions relating to labour? I do not know how much land he possesses but surely, Sir, one need not possess land to know the difficulties of the ryots. Mr. Ramaswami Mudaliyar is not an owner of a race horse, but I know he is the cleverest punter at races and never misses a race if he can help. Well, so much for that."

"Sir, it is a matter of serious disappointment to the Members of this House and to others outside in this Presidency that there was no indication in the Indian Budget of any import duty on foreign rice. I think hon. Members of this House will agree with me that the most urgent need is the rise of the price of paddy and the first and obvious method is to levy a duty on imported rice. We are extremely glad that the Government of Madras are taking every step in their power to urge on the attention of the Government of India the need for such a duty."

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"But, I am afraid, Sir, unless immediate action is taken in this direction, there is going to be very serious trouble from the ryots and, through them, to the others as well. The almost daily news of consignments of foreign rice has created a consternation in the market and in consequence the price of the local paddy is going down daily. Sir, if this continued decline in prices should last for even a week longer, I am sure the difficulties of the ryots will be aggravated a hundred fold.

"From the Central Budget we find that the Government of India are going to levy an excise duty on sugar. Only recently we were congratulating ourselves on the move of the Government to encourage sugarcane cultivation. But now this proposal to levy a tax on the sugar produced, I am sure will throw a cold damper on the enthusiasm of the sugarcane cultivators.

"Sir, I referred in the general discussion of the Budget, to the agricultural indebtedness and said that unless the Government took measures to relieve some portion at least of the indebtedness of the ryots, it would be difficult for them to pull on for any length of time. The Land Mortgage Bank Bill which has been ushered in by my esteemed leader, the Hon. the Second Minister, I am afraid, Sir, is not going to improve matters very much."

* The Hon. the PRESIDENT:—"I am afraid the hon. Member is delivering another speech of the kind he made at the general discussion: he has covered Co-operation, Industries, Excise Duty and so on. I hope he will confine his remarks to the land revenue policy of the Government which is now under discussion."

* Mr. C. BASU DEV:—"I thought my reference to the sugarcane industry had direct bearing on sugarcane cultivation."

* The Hon. the PRESIDENT:—"That is agriculture."

* Mr. C. BASU DEV:—"I am sorry, Sir, if my remarks are not quite relevant and do not have a direct bearing on the question of land revenue. About the question of agricultural indebtedness I hope the Government will take necessary steps at least to investigate into its extent and the methods by which it can be reduced. The ryots do stand in urgent need of relief in this respect.

"On the question of land revenue remission, Sir, I join with my friends in appealing to the Government to accept the recommendations of the Finance Committee.

"Lastly, Sir, I am glad to associate myself with the appeal of my hon. Friend, Mr. Moses, in regard to the Depressed Classes in Lanka lands."

* Mr. A. B. SHETTY:—"Mr. President, Sir, several hon. Members have already spoken about the necessity for giving larger concessions in the matter of land revenue remission. I do not propose to traverse the same ground. I wish to ask the Government what their policy is in regard to resettlement. I take it, Sir, that the main purpose of resettlement is revision of assessment and revision of assessment almost always means enhancement of revenue. No increase in revenue is

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possible in the present circumstances. On the other hand, Government were compelled to give some concessions in the matter of land revenue last year, to extend the concessions this year and they have assumed for Budget purposes that this concession will have to be given in the coming year also. That being the case, I wish to ask what the justification is for carrying on resettlement operations in districts like South Kanara in spite of the repeated requests from the people to put off the same till the present depression passes off. Sir, in the Budget for the year 1934-35, out of the total revenue of 1,643 lakhs we find that land revenue alone contributes as much as Rs. 725 lakhs. About 44 per cent of the revenues of this Province comes from land. It is the biggest source of our revenue. Now, the Government seem to think that their duty merely consists in trying to collect the last pie from the ryots. What steps are they taking to see that the ryots are in a position to pay this revenue? Government are aware of the abnormal fall in the price of all agricultural products. The price of paddy and rice has gone down to the level of what it was thirty years ago and even below that. In several districts the price of rice is near the cost of production and in some places it is even below that. To add to this, we have lost our markets also. Japan which was buying our rice has now ceased to do so. Until a year ago we used to export rice to Siam also; but now our markets are flooded with rice from that country and Indo-China. The Secretary of the Rice and Grain Merchants' Association of Madras says that last month more than 20,000 tons of rice were imported into Madras and that huge shipments of rice are expected also in the next two or three months. Has necessary action in the matter of preventing the import of foreign rice been taken by the Government of India on the representations made by the Local Government? Government may also consider whether it is necessary to restrict the area of rice cultivation. They will do well to see that there is no over-production of rice. If it is not possible for us to export rice as we had been doing in previous years, it is very necessary to see that more than what is required for local consumption is not grown in this Province.

“Coconut is another important agricultural product the price of which has also very much gone down. In Malabar the price of coconuts has gone down by 300 per cent. From about Rs. 50 or 60 per thousand, it has gone down to Rs. 20. In the village parts it is lower still. The lowering of tariff value is said to be responsible for the competition from Ceylon and the fall in price of coconuts. When garden produce has thus diminished in value, the remission given in respect of garden lands is not at all adequate. As I said, Sir, it is the duty of the Government to see that in collecting land revenue a margin of subsistence is left to the ryots. The economic wellbeing of the ryots ought to be the paramount concern of the Government; and they must make it possible for the ryots to pay this revenue in equal instalments of four instead of three. The Government should also show more consideration in taking coercive measures for the collection of land revenue.”

* Mr. G. RANGANATHA MUDALIYAR:—“Mr. President, Sir, I rise to support the cut motion now under discussion. If I do so, it is with

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a full sense of responsibility as one intimately connected with the agricultural conditions in my district which is one of the foremost paddy growing districts in the Presidency. It is very unfortunate that Government have not found their way to accept a practically unanimous vote of this House for a remission of at least 25 per cent in the kists for the current fasli. When this resolution was adopted by this House, I dare say, it was not the intention of any Member of this House to embarrass the Government in the administration of this Province. The first consideration that prevailed with the hon. Members of this House who voted for that resolution was, that the current prices of agricultural commodities, and particularly of paddy, are so low that it is practically impossible for the landowner to pay the kist demand out of the produce of the land.

“ In making a few observations on this question, I do not want to be understood as putting forward any special plea on behalf of my district, if I lay special emphasis on the state of affairs in my district. I know conditions in the other districts of the Presidency are equally bad and therefore, relief is urgently required by every district in this Presidency.

“ The Press Communiqué issued by the Government on the 10th January 1934, puts forth some facts regarding the land revenue settlement. Taking the broad question of settlement and its objects and methods, discussed in the Communiqué, I must state, that they are not strictly relevant to the question at issue. Extraordinary conditions require extraordinary remedies, and that the present position is one of extraordinary nature is undoubted. However even on the basis of the conditions of settlement laid down by the Court of Directors of the Honourable East India Company, the present rate of assessment is not at all justifiable. According to those principles, the assessment must leave a surplus to the occupier whether he lets the land to others or retains it in his own hands. I ask, Sir, whether Government are satisfied that according to the present rate of assessment and the prevailing prices any surplus is left in the hands of the occupier or owner of the land?

“ I should further like to submit that the facts on which the officer in charge of the settlement of the Tanjore district has based his assessment rates, are wrong in many respects. The Settlement Officer has ignored the fact that Tanjore district, though largely irrigated by the Cauvery, is more dependent on the vagaries of the monsoons for its normal productivity. The monsoons, as we all know, are never steady. Secondly, as regards the soil classification, the Settlement Officer has departed from the standard classification and placed the lands in this district in a class far higher than what they really are in. Again, due attention was not bestowed upon the subsoil of this district and its nature, as is required by the Settlement Manual. Even in fixing the estimates of standard outturn, the Settlement Officer has based his calculations upon a limited number of experiments conducted in only some of the taluks of the district. To the conclusions arrived at, on

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the basis of such misleading experiments, the Settlement Officer has added 25 per cent on the ground that the year of his experiment was one of failure. Therefore, Sir, I think it is only fair to state that the settlement operations in the Tanjore district were perfunctory and unsatisfactory and so the settlement rates should not be taken as a basis for deciding the question under consideration.

“ I shall next take up the commutation price of paddy. While in old settlements only the prices of ryots' selling months were taken into consideration for fixing the commutation rate, in the case of the Tanjore district, those of the whole year were taken into consideration. Again, the prices of abnormal years, like the war period, were also taken into consideration. Thus, the selling of price of paddy arrived at by the Settlement Officer does not represent the average price of paddy as required by the Settlement Manual. The allowances made for vicissitudes of the season, for cultivation expenses, for carting expenses, etc., were not at all adequate. Therefore, I submit, that the observation of the Government in the Press Communiqué that ‘ the benefit of the doubt was given to the ryots by the Settlement Officer,’ does not appear to be supported by facts.

“ The Communiqué states that Government, as a matter of fact, never took 50 per cent, but have left with the ryot by far the greater part of the profit due to general improvement in the economic conditions and to the rise in prices that took place during the currency of the settlement that had come up for revision. They state that the increase in assessment has not gone up by more than 14 per cent. Mr. President, the old revenue ryotwari demand for the Tanjore district before 1892 was 41 lakhs. At the last settlement, it had gone up to 55 lakhs. At the resettlement in 1922 the revenue was increased to about 68 lakhs. Thus the total increase has been by about 66 per cent. In view of the above facts, the statement of Government that there has been a rise of only 14 per cent cannot be accepted, at any rate, as far as the Tanjore district is concerned.

“ At every time of the settlement and resettlement, the ryots have protested. They urged that increased prices should not be taken as a ground for enhancement, that the rise in prices were due to temporary causes, and would not prevail for long. But their protests were ignored, and now that prices have fallen, the wrong basis of taxation stands exposed.

“ The Communiqué states that Government received only a very small proportion of the profits made in the boom period, and the remaining portion was left in the pockets of the ryots. I submit, Sir, it is not the case. If high prices have benefited the ryots, the ryot in the village ought to be prosperous. But the reverse is the case. Indebtedness has admittedly been on the increase and the rate of mortality has been mounting up. It must, therefore, be clear that high prices, if they benefited any one at all, have benefited only the Government.

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12-45 p.m. "For in the absence of high prices large tracts of land would long ago have gone out of cultivation and Government would have been faced with a diminishing return in their land revenue.

"Sir, as has been more than once pointed out on the floor of this House, the current price of paddy is 50 per cent of the commutation rate. On that basis, a remission of 50 per cent ought to be given. But this Council with a deep sense of responsibility recommended only a remission of 25 per cent. Even this modest demand has been turned down by Government. I now make an earnest appeal to Government that they should at least accept the rates of remission recommended by the Finance Committee. The Hon. the Finance Member, in the course of his reply to the general discussion of the Budget, stated that Government did not accept the recommendation of the Finance Committee, because it was not acceptable to this House. I should like to remind the Hon. the Finance Member that, when the resolution was under discussion in this House, several Hon. Members have pointed out in unmistakable terms that at least the recommendations of the Finance Committee might be accepted. Therefore, it is not correct to say that the House as a whole refused to accept the Finance Committee's recommendation. No doubt, this House felt, and still feels, that the recommendation of the Finance Committee was too meagre and halting. But if Government have chosen to accept the recommendations of the Finance Committee, I venture to say that there will not be so much heartburning as there is in the Province to-day.

"I have only one other request to make to the Hon. the Revenue Member, and that is, that certain recent Government Orders referred to by me under item No. 60 in the list of cut motions, directing the levy of new and heavy water-rates, the imposition of a flat rate of Rs. 7-8-0 per acre for second crop and the reclassification of the irrigation sources in Tanjore district should be immediately cancelled. The reasons for such cancellation have been time and again very elaborately explained in the representations made to Government by several associations in the Tanjore district, and therefore, I do not want to repeat them on this occasion.

"I would only conclude by saying that, at this juncture, when the ryot is groaning under the present rate of taxation, any additional burden on him in the way of fresh taxation will only tend to ruin him completely."

* The Hon. Sir HOPETOUN STOKES:—"Mr. President, Sir, I do not propose to speak at any length. The point that most of the hon. Members stressed in their speeches is about the 25 per cent. cut. We have already had that matter discussed threadbare, and I have nothing to add to what I have already said in my reply to the general discussion of the Budget. The definite position taken up by the Government is simply this: if the state of things now existing is so terrible, as hon. Members have described it, a remission of taxation by the Government on a scale commensurate to the needs of the case is not a practical

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proposition consistently with maintaining the solvency of Government. I do not think the Government see eye to eye with the Members in the picture they have painted. Government fully recognize, however, that the existing position is an extremely difficult one, and within their means they are anxious to do what they can to alleviate the situation. But, as I explained at some length in my reply to the general discussion of the Budget, the root remedies which appear likely to give relief are scarcely within the purview of this Government at present to undertake. There are some things which we can do ourselves, and there are some things which we can do more effectively only with the aid of or in co-operation with the Central Government. And I believe I shall not be revealing an official secret—for it has been announced by Sir George Schuster only the other day—when I say that we are sending representatives to an Inter-Provincial Economic Conference, summoned under the auspices of the Government of India themselves, which will surely go into these questions. The object of the Conference is to go into these various complicated questions, such as, the indebtedness of the ryots, the question of marketing, the applying of more effective measures for the protection of various Indian products, rice being one of them, and several other things, which cover a large field, and in which are included the general measures to which hon. Members have drawn our attention.

“As regards the 25 per cent cut, I have already at considerable pain shown to the House what it would mean to the finances of our Presidency; and I am sorry that those figures have been completely ignored by hon. Members who spoke on this question.

“In the course of his speech, Mr. Hameed Khan said that I made a statement that the poor pattadar would not gain anything by this remission, but only the rich pattadar would be gaining. I may correct him by saying that I did not say so. I only said that relatively the rich pattadar would be gaining more than the poor pattadar; and I have never said that the remission would not be of any use to the poor man. He asked why we should not give a remission of $18\frac{3}{4}$ per cent, if we are not able to give a 25 per cent remission. I have already answered this point in my reply to the general discussion of the Budget. Government have considered this question very carefully and they have done what they believe to be necessary in this case. They do not see that the matter is likely to be materially affected by giving 13 lakhs more than what they think to be necessary and within their means.

“Sir, I was not able to follow Mr. Pannirselvam's argument. He seems to have been mainly concerned to try to escape from the difficulty in which he was placed when, in my reply, I showed that he and those who took his line were merely seeking to haggle for some more money. He finished by pleading for a generous gesture. He and other speakers used language which would have been justified only if Government had refused to do anything at all. Now, I do not think you can say 60 lakhs a year is nothing. Although you may think it

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would be nice to have more, it is after all a question of opinion. (Mr. Basheer Ahmed Sayeed: What about dry lands?) The Hon. Revenue Member will speak on it.

“ Mr. Shetty stressed on the question of the necessity of restricting the production of rice and coconuts in order to avoid over-production. But may I ask him how is it going to be done? How are we to persuade 40 per cent of our ryots who are engaged in producing rice to give it up? Is it a practical proposition? It is a sort of question which might be examined in the Economic Conference, to which I have already alluded.

“ I believe that is all that I have to say as regards the remarks which fell from hon. Members.”

* The Hon. Sir ARCHIBALD CAMPBELL:—“ Mr. President, Sir, I propose to deal with the several points which the Hon. the Finance Member has not mentioned as far as I can in the time at my disposal. Mr. Moses referred to the lease of lanka lands to the Depressed Classes. About ten years ago Government issued certain orders for the guidance of the Collectors with regard to this matter. Under those instructions the Collector should submit information regarding the total area available for lease in the village, the total area proposed to be leased to the Depressed Classes and the number of persons belonging to the Depressed Classes and those belonging to the other classes in the village or villages concerned. Another of the instructions issued ten years ago is that the lease amount, as a rule, should not be less than the average of the rentals realized previously on the same lankas, provided that the bids at the sales of such leases represent a fair and not a fictitious value. The hon. Member is correct in thinking that the Government have delegated to the Board of Revenue the power of passing orders on such proposals, subject to certain conditions. If there is any conditions which affect the Depressed Classes adversely the matter should be brought to the notice of the Board of Revenue, who, I am sure, would be only too willing to give it their careful consideration.

“ My Friend, Mr. Ranganatha Mudaliyar from Tanjore, referred to the orders of Government enhancing the rates of water-cess in the Tanjore delta and reclassifying certain existing sources of irrigation. He said that these orders should be cancelled. The Cauvery-Mettur Project has been carried out for the benefit of the ryots of the Tanjore district, and it is only right that the persons benefited by that project should pay for it, or rather should bear the interest and maintenance charges by means of the increased water-rate on their lands or of a water-cess on the lands brought under irrigation by the project. But in view of the present situation we have indeed given certain concessions this year. At the present time the rates charged are about one-third of the rates which are fixed in these Government Orders as the normal rates under the Cauvery-Mettur Project. The reduced rates are also subject to the general suspension of $12\frac{1}{2}$ per cent. We have already

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[Sir Archibald Campbell]

asked the Board of Revenue to report to us shortly whether any concessions are necessary in the next fasli and the following fasli. The work is being carried out at considerably less cost than was anticipated, and it is possible that in course of time the normal water-rate, I may call it, may be able to be reduced. But we cannot at present make any announcement on that point, because we have not got the final accounts and because the matter will be materially affected by the rate at which the project is developed. If the project is developed rapidly we may be able to reduce the water-rate; but if it is not developed rapidly the prospects of reduction will be minimized. The matter, however, is not being lost sight of. We shall pass orders now as to the rate of water-cess to be levied in the next year and in the following year; the whole question will be fully examined again before the full rates to be ultimately charged are finally settled. If hon. Members and the ryots want those rates reduced, their best course is to endeavour to get the project developed as rapidly as possible.

“ My Friend, Mr. Hameed Khan, suggested that we should fix on 1 p.m all wet lands the dry assessment and charge water-rate separately. I am not sure if he quite realized what the effect of that would be. The wet land has now a prior claim to any water that is made available and at the same time the ryot is charged wet rate even though he does not take water owing to his own fault. On the other hand if the land is classed as dry subject to water-rate, the ryot has the option of taking water or not as he likes, but he has ordinarily no claim to water in preference to anybody else. If we convert these wet lands into dry and charge water-cess, it would affect very considerably the rights of the ryots. It would also introduce uncertainty into the amount of money which the Government would receive from water-cess.

“ My hon. Friend wanted to ascertain the amount which should actually go to the credit of irrigation. At the present time the Board of Revenue makes certain calculations every year in the case of occupied Government wet lands, the assessments of which are consolidated wet rates, in order to arrive at the share of the revenue which is due to irrigation. This calculation is made for each source of irrigation as a whole and not for each field. The Board of Revenue has fixed the several proportions in which the consolidated assessment of Government wet lands should be divided into (1) assessment on land and (2) water-rate in respect of each irrigation work belonging to class I (productive works), class II (unproductive works) and in respect of each district for works in class III (minor irrigation works for which capital and revenue accounts are not kept). I think, Sir, this probably meets the desire of my hon. Friend.

“ My hon. Friend, Mr. Ramalingam Chèttiyar, urged that jamabandi should be abolished entirely. We have in recent years very considerably reduced the work that is taking place at jamabandi and have issued orders to minimize any inconvenience to which the people and village officers may be put owing to the holding of jamabandi. I am afraid that jamabandi is still necessary for the examination of all

[Sir Archibald Campbell]

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the accounts of the village and the taluk offices. In the jamabandi all the accounts of the villages are scrutinized with the object of ascertaining whether all the items of land revenue have been properly determined and brought to account correctly and that the prescribed statistics have been correctly compiled. The opportunity is taken at the same time to see that all taluk authorities from Tahsildar downwards have done their work during the fasli particularly in respect of such subjects as the inspection of cultivation and peramboke lands and the disposal of encroachments, darkhasts and relinquishments and transfers of land, etc."

Mr. P. V. KRISHNAYYA CHOUDARI:—"Why not they do it in the Revenue firka itself?"

The Hon. Sir ARCHIBALD CAMPBELL:—"Sir, opinion in the House is divided as to whether the jamabandi should be held in the Revenue Divisional Officer's headquarters or in the firka itself; at the present time it is held at the taluk headquarters—a course midway between two extreme proposals I have mentioned. Sir, the jamabandi gives the ryot an excellent opportunity to get into touch with the higher authorities of the district. As hon. Members are aware the Collector of the district has to hold the jamabandi of every taluk once in five years, and this seems to be a very valuable opportunity for the ryots to meet the Collector.

"Mr. Ranganatha Mudaliyar from Tanjore criticized the resettlement operations in Tanjore. I am afraid that is rather ancient history. I do not mean to follow him into those details with regard to the settlement operations of the district. However there is one remark which I should like to correct. He stated, if I remember rightly, that revenue had increased by 66 per cent, whereas the Government stated it increased by only 14 per cent. My Friend's figure merely relates to the total revenue of the district as a whole whereas the figure given by the Government relates to the increase per acre. The two are very different. The former is due mainly to the increase in cultivation.

"I now come to the very interesting points raised by several hon. Members in connexion with the simplification of the resettlement procedure and the necessity for re-survey. My Friend, Mr. Sreshta, seems to be under the impression that the cost of collection which he refers to as 25 per cent of the whole amount of land revenue receipts is mainly covered by the cost of settlement and survey. Mr. Sreshta was no doubt referring to the statement in the report on the settlement of the land revenue for fasli 1342 according to which the district administration charges and the village service charges amounted to Rs. 221.91 lakhs or 25.82 per cent of the total land revenue and cesses collected. This, no doubt, gave him the impression that 25.82 per cent of the total land revenue is spent in collecting it. It has however to be remembered that the land revenue charges which come to about 2½ crores consist not only of the cost of collecting the land revenue but also of many other charges. The collection of land revenue is one of the many duties carried out by the district staff. The village

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establishment in particular is the servant of all departments of Government; they have to do work in connexion with the Estates Land Act and many other matters. A considerable portion of the time of the Collector and his subordinate officials is occupied with magisterial work. The actual cost of collecting the land revenue cannot be estimated with any degree of accuracy.

“ Mr. Sreshta suggested that the record of rights was not useful. I may point out here that we have not yet got in this Presidency a record of rights. We have not yet reached the stage of formulating a scheme to maintain a record of rights. It was also urged by him and Mr. Schammad Sahib that resurveys are unnecessary. We have as far as possible restricted the work of resurvey done by the Survey department. The question whether any resurvey is necessary is always carefully considered before every resettlement takes place. Usually there is no resurvey but in certain circumstances a resurvey may be necessary; for example in parts of the district of Malabar the survey records were lost during the Mappilla rebellion and a resurvey was necessary. We have under consideration the restriction of the resettlement operations and my Friend, Mr. Ramalingam Chettiyar, asked for some details.

“ May I take it, Sir, that I have got sufficient time to go on? ”

* The Hon. the PRESIDENT:—“ Only two minutes.”

* The Hon. Sir ARCHIBALD CAMPBELL:—“ Then I am afraid I must cut down my remarks. This matter was taken up in 1931 and the Board of Revenue was asked to make proposals for retrenchment and a scheme was put forward and placed before the Retrenchment Committee. I will give only a gist of the proposals; it was that we should confine resettlement work in future to its more legitimate sphere of its work, viz., of making an economic study of the tract concerned and then making proposals for alteration in the settlement rates and it should not include the duty of bringing the revenue records up to date. If that is to be done it will be necessary to increase the ordinary district staff.”

Mr. BASHEER AHMED SAYEED:—“ What about the remission of dry assessment? ”

The Hon. Sir ARCHIBALD CAMPBELL:—“ There is one point about the South Kanara resettlement to which exception was taken, namely, that the charge of wet assessment on dry lands converted to wet amounts to the taxation of improvements. No doubt work has to be done on the land if one wants to convert it from dry into wet, but this is true everywhere. The State is entitled to a share of the produce. In South Kanara the wet rates are generally lower than those on the East Coast. The Settlement Officer can take into consideration in fixing the rates on new wet land such factors as whether the land is situated on the top of the hill or on the lower slopes and any disadvantages of the situation of land.

[Sir Archibald Campbell] [10th March 1934]

“As regards remissions, my Hon. Friend, the Finance Member, has dealt with the question of remission on account of fall in prices. In addition to that, we have given remissions where for special reasons we have been satisfied that remission is necessary. At present we have under consideration proposals for special relief to South Arcot, Tanjore and Nellore districts mainly on account of cyclones. We are also expecting some proposals with reference to one or two taluks in the Anantapur district. But so far, no proposal has been received from the Bellary district for any special remission. (An hon. Member: ‘What about East Godavari and Kistna?’) Probably remissions have been granted in those districts under the ordinary rules. (Mr. Basheer Ahmed: ‘What about remission in dry assessment?’)

“My hon. Friend referred to the Conference at Simla which was announced by Sir George Schuster and in that connexion I am sure that Members of Government representing the Madras Government on the Conference will be ready to put before the Conference any matters which the representatives of various interests concerned such as paddy, coconut and so forth, have brought to our notice.

“I should like, in conclusion, to acknowledge the kind remarks which Mr. Pannirselvam made about myself and to endorse very heartily the remarks he made about Mr. Thorne, for he and his staff have had a difficult time in the last two or three years and I should like to take this opportunity of acknowledging my indebtedness to them.”

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—“I am sorry, Sir, that the Government have not shown any the least consideration for the views of the Council and they persist in the attitude they have taken before. Therefore, I would request you, Mr. President, to take the sense of the House on motion No. 34 whose object is to protest against the attitude of Government in not accepting the resolution of the Council on land-tax remission. In this connexion, I should like to say, Sir, that it is a well-understood right of the subjects to refuse supplies to the Government unless their grievances are redressed. In this case, the practically unanimous resolution of the Council has been brushed aside by the Government and therefore we are justified constitutionally in refusing this demand because our grievances have not been redressed.”

* The Hon. the PRESIDENT:—“Even a vote upon this particular motion may mean the same thing, because Mr. Ranganatha Mudaliyar has made it very clear that a vote upon this motion would achieve the object which the hon. Member wants to achieve. If, however, the hon. Member is very anxious that he should take the vote of the House on the other motion, I have no objection, but I think that a vote upon this motion itself will have the same effect.”

* Rao Bahadur T. A. RAMALINGAM CHETTIYAR:—“If it is clearly understood that it will have the same effect, I have no objection to the course suggested by you, Mr. President.”

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* The Hon. the PRESIDENT:—"The question is—
*'that the allotment of Rs. 39,000 for Taluk Establishments—
 Pay of Establishments be reduced by Rs. 100'.*"

The motion was declared lost.

A poll was demanded and the House divided thus:—

Ayes.

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| 1 Mrs. K. Alamelumangathayaramma. | 28 B. Pocker Sahib Bahadur. |
| 2 Mr. V. M. Ramaswami Mudaliyar. | 29 Mr. Abdul Hameed Khan. |
| 3 " T. Narasa Reddi. | 30 " Basheer Ahmed Sayeed. |
| 4 Rao Bahadur A. T. Pannirselvam. | 31 " U. C. Subrahmanya Bhatt. |
| 5 Mr. G. Ranganatha Mudaliyar. | 32 " K. A. Nachiyappa Goundar. |
| 6 " G. Sriramulu. | 33 The Pattagar of Palayakottai. |
| 7 " P. C. Moses. | 34 Mr. K. S. Sivasubrahmanya Ayyar. |
| 8 " V. G. Vasudeva Pillai. | 35 " P. Peddi Raju. |
| 9 " W. P. A. Soundara Pandian. | 36 Ahmed Meeran Sahib Bahadur. |
| 10 " P. Bayappa Reddi. | 37 Diwan Bahadur B. Muniswami Nayudu. |
| 11 " P. K. Ramachandra Padayachi. | 38 Mr. K. P. Raman Menon. |
| 12 " G. Lakshmana Reddi. | 39 " M. S. Sreshta. |
| 13 " M. A. Muthiah Chettiyar. | 40 " A. Ranganatha Mudaliyar. |
| 14 " K. M. Duraiswami Reddi. | 41 " P. V. Krishnayya Choudari. |
| 15 " S. A. Annamalai Chettiyar. | 42 " G. R. Premayya. |
| 16 Rao Sahib C. Jayaram Nayudu. | 43 " K. Pattabhiramayya. |
| 17 " D. V. Narasimhaswami. | 44 " P. M. Thangal. |
| 18 Mr. A. Harischandrudu Nayudu. | 45 Rai Sahib C. Kolanda Reddi. |
| 19 " K. Kesavaramamurti Nayudu. | 46 Rao Bahadur R. K. Venugopal Nayudu. |
| 20 " A. Ramakrishna Reddi. | 47 Mr. C. R. Parthasarathi Ayyangar. |
| 21 Dr. P. Subbarayan. | 48 " K. Koti Reddi. |
| 22 Rao Bahadur T. A. Ramalingam Chettiyar. | 49 Rao Bahadur C. Natesa Mudaliyar. |
| 23 Mr. Sami Venkatachalam Chetti. | 50 Mr. M. B. Rangaswami Reddi. |
| 24 Khan Bahadur Mahmud Schamnad Sahib Bahadur. | 51 Diwan Bahadur S. Ellappa Chettiyar. |
| 25 Mr. A. Pl. N. V. Nadimuthu Pillai. | 52 Mr. R. M. Palat. |
| 26 " V. T. Arasu. | |
| 27 " A. B. Shetty. | |

Noes.

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| 1 The Hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur. | 12 Mr. R. Madanagopal Nayudu. |
| 2 " Diwan Bahadur Sir M. Krishnan Nayar. | 13 " E. Conran Smith. |
| 3 " Sir Archibald Campbell. | 14 Khar Sahib Syed Tajuddin Sahib Bahadur. |
| 4 " Sir Hopetoun Stokes. | 15 Mr. H. M. Jagannatham. |
| 5 " Diwan Bahadur S. Kumaraswami Reddiyar. | 16 Rao Bahadur D. Krishnamurti. |
| 6 " the Raja of Bobbili. | 17 Rao Sahib P. Subrahmanyam Chetti. |
| 7 " Mr. P. T. Rajan. | 18 The Zamindar of Kirlampudi. |
| 8 Diwan Bahadur V. N. Viswanatha Rao. | 19 Diwan Bahadur A. Appadurai Pillai. |
| 9 Mr. J. A. Thonne. | 20 Rao Sahib Pandit Ganala Ramamurti. |
| 10 " H. M. Hood. | 21 Sir A. P. Patro. |
| 11 Diwan Bahadur N. Gopalaswami Ayyangar. | 22 Mr. C. Basu Dev. |
| | 23 " J. K. Metherell. |
| | 24 " W. W. Ladden. |
| | 25 " R. Foulkes. |

Neutral.

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| 1 Subadar-Major S. A. Nanjappa Bahadur. | 3 Rao Sahib V. I. Muniswami Pillai. |
| 2 Rao Bahadur R. Srinivasan. | 4 " V. Dharmalingam Pillai. |

Ayes 52.

Noes 25.

Neutral 4.

* The cut motion was carried.

[10th March 1934]

* The Hon. the PRESIDENT:—"The question is—
*'that Government be granted a sum not exceeding Rs. 18,24,700
 (Demand minus Rs. 100)'. "*

The motion was declared carried.

A poll was demanded and the House divided thus:—

Ayes.

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| 1 The Hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur. | 25 Mr. W. P. A. Soundara Pandian. |
| 2 " Diwan Bahadur Sir M. Krishnan Nayar. | 26 " P. Bayappa Reddi. |
| 3 " Sir Archibald Campbell. | 27 " P. K. Ramachandra Padayachi. |
| 4 " Sir Hopetoun Stokes. | 28 Mr. G. Lakshmana Reddi. |
| 5 " Diwan Bahadur S. Kumarswami Reddiyar. | 29 Rao Sahib V. Dharmalingam Pillai. |
| 6 " the Raja of Bobbili. | 30 Mr. M. A. Muthiah Chettiyar. |
| 7 " Mr. P. T. Rajan. | 31 " K. M. Duraiswami Reddi. |
| 8 Mrs. K. Alamelumangathayamma. | 32 " H. M. Jagannatham. |
| 9 Diwan Bahadur V. N. Viswanatha Rao. | 33 Rao Bahadur D. Krishnamurti. |
| 10 Mr. J. A. Thorne. | 34 Rao Sahib P. Subrahmanyam Chetti. |
| 11 " H. M. Hood. | 35 Mr. S. A. A. Annamalai Chettiyar. |
| 12 Diwan Bahadur N. Gopalaswami Ayyangar. | 36 The Zamindar of Kirlampudi. |
| 13 Mr. R. Madanagopal Nayudu. | 37 Rao Sahib C. Jayaram Nayudu. |
| 14 " E. Conran Smith. | 38 Diwan Bahadur A. Appadurai Pillai. |
| 15 Khan Bahadur Syed Tajuddin Sahib Bahadur. | 39 Rao Sahib D. V. Narasimhaswami. |
| 16 Mr. T. Narasa Reddi. | 40 " Pandit Ganala Ramamurti. |
| 17 Rao Bahadur A. T. Pannirselvam. | 41 Mr. A. Harischandrudu Nayudu. |
| 18 Mr. G. Ranganatha Mudaliyar. | 42 " K. Kesavamamurti Nayudu. |
| 19 Subadar-Major S. A. Nanjappa Bahadur. | 43 " A. Ramakrishna Reddi. |
| 20 Rao Bahadur R. Srinivasan. | 44 Rao Bahadur Sir A. P. Patro. |
| 21 Rao Sahib V. I. Muniswami Pillai. | 45 " C. Natesa Mudaliyar. |
| 22 Mr. G. Sriramulu. | 46 Diwan Bahadur S. Ellappa Chettiyar. |
| 23 " P. C. Moses. | 47 Mr. C. Basu Dev. |
| 24 " V. G. Vasudeva Pillai. | 48 " R. M. Palat. |
| | 49 " J. K. Metherell. |
| | 50 " W. W. Ladden. |
| | 51 " R. Foulkes. |

Noes.

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|---|--|
| 1 Mr. V. M. Ramaswami Mudaliyar. | 16 Mr. P. Peddi Raju. |
| 2 Dr. P. Subbarayan. | 17 Diwan Bahadur B. Muniswami Nayudu. |
| 3 Rao Bahadur T. A. Ramalingam Chettiyar. | 18 Mr. K. P. Raman Menon. |
| 4 Mr. Sami Venkatachalam Chetti. | 19 " M. S. Sreshta. |
| 5 Khan Bahadur Mahmud Schamnad Sahib Bahadur. | 20 " A. Ranganatha Mudaliyar. |
| 6 Mr. A. Pl. N. V. Nadimuthu Pillai. | 21 " P. V. Krishnappa Choudari. |
| 7 " V. T. Arasu. | 22 " G. R. Premayya. |
| 8 " A. B. Shetty. | 23 " K. Pattabhiramayya. |
| 9 B. Pocker Sahib Bahadur. | 24 " P. M. Thangal. |
| 10 Mr. Abdul Hameed Khan. | 25 Rai Sahib C. Kōlanda Reddi. |
| 11 Basheer Ahmed Sayeed. | 26 Rao Bahadur R. K. Venugopal Nayudu. |
| 12 " U. C. Subrahmanya Bhatt. | 27 Mr. C. R. Parthasarathi Ayyangar. |
| 13 " K. A. Nachiyappa Gounder. | 28 " K. Koti Reddi. |
| 14 The Pattagar of Palayakottai. | 29 " M. B. Rangaswami Reddi. |
| 15 Mr. K. S. Sivasubrahmanya Ayyar. | 30 Ahmed Meeran Sahib Bahadur. |

Ayes 51.

Noes 30.

The motion was carried.

The House adjourned for lunch.

10th March 1934]

After Lunch (2-30 p.m.)

DEMAND II—EXCISE—TRANSFERRED.

* The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—" Sir, on the recommendation of His Excellency the Governor, I move—
'that the Government be granted a sum not exceeding Rupees 30,82,000 under Demand II—Excise—Transferred'."

Mr. ABDUL HAMEED KHAN:—" Mr. President, Sir, I beg to move the following amendment:—

RS.
<i>'To reduce the allotment of Rs. 12,000 for Pay of</i>
<i>Officers by</i> 100

My object is to criticize the policy of the Government regarding prohibition. This question has been coming up every year when this demand is made on behalf of the Government by the Hon. Minister in charge of Excise. We have criticized the policy of the Government with regard to their indifference or neglect to give effect to their undertaking given six years ago that within twenty years from that year, they would secure total prohibition in this Province. We have been trying to see to what extent the Government have endeavoured to fulfil that promise after it was made, whether the Government have instituted any machinery, whether they have tried to reduce consumption, and whether they have tried to raise the fees; we have been waiting to see what they have done for local option or even with regard to propaganda, whether they have done anything to fulfil that undertaking within these six years, to the extent they can. We fail to see the Government doing anything in that direction. Years ago they established what were called propagandists for carrying on propaganda against the drink evil; a certain amount of money—Rs. 4 lakhs, I think—was allotted every year for payment to propagandists for carrying on propaganda. Even then we were not quite sure whether anything could be achieved by this half-hearted measure, whether we would be able to achieve the result which all of us had in view; it was found to be a failure. It did not go far enough to bring about any tangible result. The Government also found out that there was no use of going on with propaganda; so they gave up the idea of carrying on propaganda in that direction.

" Excise is the second largest source of revenue in this Province. Whenever, this question of prohibition was brought forward by hon. Members of this House, the Government came forward with the excuse that they had expenditure to be met from the revenues of the Government and that they would be giving up such a large part of their revenue; they ask us to show another source of revenue so that they can meet their expenditure. That is one of the arguments that have been advanced by the Government. Hon. Members who raise

[Mr. Abdul Hameed Khan] [10th March 1934]

this question of prohibition are not in a position to give an idea with regard to any other new source of revenue for the Government because they do not possess the advantages and facilities which the Government have. We have been calling upon the Government to appoint a non-official committee of enquiry to go into the question of finance and to suggest ways and means by which we can find out another source of revenue. The Government did not appoint a committee of officials and non-officials with a Secretariat to help them to find out another source of revenue which can replace or be a substitute for the revenue we are getting now. The Government themselves are fully aware that, though they secure a large amount of revenue from this source, they have to maintain many services in order to counteract the evils. They have to maintain a large police force; they are forced to have a big service to counteract the evils arising from this drink evil. The Government tried to introduce some sort of prohibition in some districts. They subsequently found that it did not work well; therefore, they abandoned the idea. In this connexion, I may refer to Salem district. The Government found that there was a large increase in illicit distillation and kindred offences and that the experiment was not a success. So the Government ordered the reopening of the shops from 1st April 1933. With regard to this matter the Government stand to blame. If they were really serious and if they wanted to put a stop to the sale of liquor in this Province, they could have done it very successfully. In order to satisfy public opinion, in order to satisfy those who believe in prohibition in this House, the Government tried this experiment in a half-hearted manner and such attempt was bound to fail. They have failed; of course, they throw the blame on the people; I do not think they can safely throw the blame upon the people; they can do so if they carried out their policy with some amount of seriousness.

"This drink evil is prohibited by all religions except a certain section of Christians. In spite of it, educated people as well as illiterate people have taken to this drink evil. With regard to educated people, one can say that they know what they are doing.

(At this stage Mr. M. A. Muthiah Chettiyar occupied the Chair.)

With regard to the illiterate people, they think that this is a necessary evil; that they require some intoxication which would give them some relief from the day's hard labour. That is a theory which does not hold water. Whenever and wherever attempts were made for real reform in this direction, we find that the labourer is not very anxious to get a drink; if he can get some substitute, he will be certainly satisfied. We know that other countries have been trying to introduce total prohibition. Unfortunately the American people have gone wet recently instead of going dry. I do not know how many barfels are floating in the streets of New York now. There may be reason for their so doing, because it is a cold country. But in this Country—in India—our traditions are different; our people as a whole are religious minded; they do not really want this evil. Unfortunately the Government place temptations in their way. Wherever we go we

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find arrack shops and toddy shops. They are a temptation for people to go and drink. If the labourer or the agriculturist finds that there is some place to which he can go and get some sort of relief for the time being, he is tempted to go there. For placing that temptation the Government are responsible. The Government have failed to fulfil their promise.

“ With regard to the licensing board, I think the time has come when the Government should change its constitution giving more representation to non-official opinion. As a matter of fact, although there are some non-officials on the board, the officials have got control over the whole matter. We know that in our own city there are many places in which toddy shops and liquor shops exist where they should not, in the neighbourhood of schools, in the neighbourhood of temples, in the neighbourhood of mosques.

“ The licensing boards are so helpless; they are not in a position to remove those toddy shops from those localities, however much they may try. Therefore, as I said, the Government not only have failed to give effect to the policy of prohibition, but have not done anything in that direction. I hope, Sir, that the Government will honestly try, to the extent to which they can do so, to reduce this evil if they cannot put a stop to it altogether within the next ten or fifteen years.”

2-45
P.m.

* Rao Sahib V. I. MUNISWAMI PILLAI:—“ Mr. President, Sir, in rising to speak on this cut motion, I would like to draw the attention of Government to the necessity of temperance reform at a time when the whole country is on the threshold of a new Constitution. Sir, we are all proud in this House of legislative enactments both in the Local Self-Government Department and in the Development Department; but unfortunately the portfolio of the Hon. the Excise Minister—I think I am correct in saying—is bare of any legislation on this important subject. We see that the excise policy followed by the Government does not meet the wishes of the people. Reading through the Presidency administration report and the report on the administration of excise revenue, we find that very little advancement has been made in this important reform of temperance. Reading through the administration report, I find that in the year 1932-33 there have been ‘ no special features.’ That is what the report says. At least in the previous regime of the late Diwan Bahadur R. N. Arogyaswami Mudaliyar and also during the time of Mr. S. Muthiah Mudaliyar, something was done to show to the people the evil effects of excessive drink and efforts were made to obtain public opinion as to whether there was any necessity for prohibition. Unfortunately, Sir, due to retrenchment, all these activities were brought to an end; and during the present regime, I do not find any advancement made in this respect. One important point that was urged by most of the temperance societies is that more powers should be given to the various district licensing boards. I know as a matter of fact that the Government moved a step further and asked the Collectors

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of districts to obtain the views of temperance workers and also of such bodies as were interested in the temperance movement. I know also that more than eight or nine months have elapsed since those views were given, and yet I do not know what decision the Government have come to on this important matter. In one place, the report says that the excise advisory boards have worked satisfactorily. I know there is a grievance that the licensing boards that are constituted now are not given any statutory powers, that they are merely advisory bodies and have no powers to dictate terms as to the location of arrack or other liquor shops. My hon. Friend, Mr. Hameed Khan, referred to America having gone wet; but, Sir, we must not forget that in America there is the Local Option Act which may be applied to any State whenever it is the wish of the people of that State. In India, however, especially in this Province, there is no such enactment which allows the people to say what they think in the matter. Even if the people in certain districts express that there ought to be partial prohibition, unfortunately the Excise officials do not give that amount of deference to the wishes of the people as is due. On page 17, the report on the administration of the excise revenue says:—

‘There is abundant testimony chiefly from planters who are in a position to know, that the official prohibition tends to demoralize and impoverish those accustomed to drink. The hill tribes precluded from obtaining drink openly are said to employ Tamil or Kanarese coolies on a commission basis to secure liquor.’

Coming as I do from a district where there is partial prohibition, I know that after the introduction of partial prohibition, the morale of the people, of those to whom this partial prohibition applies, has greatly improved, and in their economic status, they have advanced considerably. Going through the speech of the Hon. the Minister for Excise in the year 1932, when the question of making the possession of liquor illegal came up, he said:

‘Whether administratively it is necessary or desirable to do so is a matter on which I should like to have further consultation with the representatives of the district.’

So far, Sir, I do not know whether the Minister of Excise or the Commissioner or any official of the Excise department has taken counsel from me or from my hon. Friends, Messrs. Ari Gowder and Davis, who also come from the Nilgiris. All the temperance associations in the hills have been clamouring that the Nilgiris at least should be declared as a prohibited area for this purpose. Unfortunately, at page 17, I find the Government say, in their report:

‘There was no temperance work of importance by private associations.’

I think as an important member of a very responsible temperance society in this Province, I have to challenge that statement; for, in the last month of the year 1932, a very big deputation waited on the Hon. the Chief Minister to ask him for a bigger subsidy to enable temperance work being carried on throughout the Presidency. I do not know, Sir, how the Government have come to this conclusion that temperance work is at a standstill. I know branches have been opened in various districts

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and there is a regular net-work of temperance societies. It has been the cry of the temperance associations that subsidies should be given to help this movement. I hope, Sir, the Hon. the Minister will see his way to give some substantial help to these associations, so that they may work in co-operation with the Excise officials to bring better results. Sir, from the report I find that during the year 1931-32, this Province had a revenue of 425 lakhs,

in 1932-33	...	...	...	...	...	426 lakhs,
in 1933-34	...	...	...	...	...	432 lakhs and "
in 1934-35 (budget)	...	...	...	...	...	431 lakhs.

These figures go to show that there has been an increase in the revenue, not a decrease. That means there is a greater amount of drunkenness in the country. If we compare the state of affairs some fifty years ago with the present, the temperance movement in this Presidency has really come to stay. At one time it was said by some people that the temperance problem in India was entirely a by-product of the British rule. But what I would say is this: that the Sanatanists who proclaim to be the custodians of the temples, are the cause of this drunkenness in the country. (Laughter.) (Mr. Sami Venkatachalam Chetti: It is very horrifying.) During the pre-Reform days, I mean in the Vedic period, it was the primitive Indo-Aryans that drank the soma juice and gave the start. Now, the Sanatanists, instead of finding out the very reason which is eating into the vitals of the nation, are trying to prevent the Depressed Classes from entering the sacred precincts of the temples. I think, Sir, they will be well advised if they really turn to this field, where they can be really of use to the people of the country. Sir, some fifty years ago, going through the history of the temperance movement in India, I find that there was a great clamour that real temperance reform should be introduced in this country, at least in this Province. Great agitation was started, and as a matter of fact, a resolution was moved in the hon. the House of Commons which fortunately went through. The resolution reads thus:

'That in the opinion of this House the fiscal system of the Government of India leads to the establishment of spirit distilleries, liquor and opium shops in large numbers of places where, till recently, they never existed in defiance of native opinions and protests of the inhabitants and that such increased consumption spread misery and ruin among the industrial classes of India calling for immediate action on the part of the Government of India with a view to their abatement.'

It was at the time when Sir John Gorst was Under Secretary and he greatly pleaded in the negative; but finally, the resolution was passed, and I find that a Despatch was sent by the then Secretary of State to the Government of India. Though the Government of India were very slow in the beginning, they set up a committee afterwards; and that committee went through the whole problem of drunkenness in India and in our Province. They issued a general memorandum in the

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Gazette of India on the 1st March 1890 adumbrating the policy of the Government of India in matters of excise. It stated:

'Looking to all the conditions of the very difficult problem with which we have to deal, we have, after careful consideration, arrived at the conclusion that the only general principles which it is expedient or even safe to adopt are the following:—

firstly, that the taxation of spirituous and intoxicating liquors and drugs shall be high and in some cases as high as it is possible to enforce;

secondly, that the traffic in liquor and drugs should be conducted under suitable regulations for police purposes;

thirdly, that the number of places at which liquor or drugs can be purchased should be strictly limited with regard to the circumstances of each locality; and

fourthly, that efforts should be made to ascertain the existence of local public sentiment and that a reasonable amount of deference should be paid to such opinion when ascertained.'

3 p.m.

"That is the policy that was adopted by the Government of India in 1890. I think since then it has undergone a change and now we have come to the old position. When we are crying that the number of shops must be reduced, we find that in travellers' bungalows and other resorts there is a bar attached. Though the Government have abolished some shops here and there, they are indiscriminately allowing these restaurants and travellers' resorts with bar attached to demoralize the people of this Presidency. (Rao Bahadur A. T. Pannirselvam: 'Restaurants with bar attached are only very few.') I would like my friend to come with me to the Nilgiris; I will show how many there are. The Government of Madras went into the question and in their report of 1888, they observed:

'It is to be doubted whether the reduction is not in some cases gone too far and further the Board of Revenue have settled in consultation with Collectors the number of shops that ought to be fixed in each district.'

That was the state of affairs some fifty years ago. I think the time has now come when the Hon. the Minister must say whether the Government have in any way advanced in the nature of reform, and have done anything so that the people of this Presidency given to drink may be redeemed."

* Mr. G. R. PREMAYYA:—"Mr. Chairman, Sir, I am really ashamed to speak on this demand. I have been here for the past twelve years and year after year hon. Members talk, advise, and cajole and several other means have been tried to influence the Minister in charge to introduce total prohibition. Discussions followed and several hon. Members spoke very sincerely and very honestly that the Hon. the Minister in charge should take notice of the strong opinion in favour of prohibition and introduce at least partial prohibition. When Mr. Arogyaswami Mudaliyar was in charge of the portfolio, he did something and promised that he would introduce some prohibition and he did so, and earned a good name. Sir, it is very difficult to talk to a deaf man. Generally, much importance will not be attached to a deaf man's evidence in a court of law. When the Hon. the Minister does not like to listen to arguments or respect our feelings, is it not right to call him deaf? Some time ago, when much trouble was anticipated in Afghanistan, King Amanullah abdicated his throne simply for the sake

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of his people even though it entailed sacrificing his regal position. Not only Amanullah, King Alfonso and several other people made such a sacrifice. They did so because they thought that the country was going to be split up by internal quarrels and other troubles. When the whole country is going to be spoiled by this drink evil, when families are going to be destroyed and the physique of drunkards are broken down by drink, why not the Hon. the Minister resign his post now and follow their noble example? I know he is a leading lawyer and can earn from five to ten thousand rupees a month. This salary is nothing when compared to his income as a lawyer. He is a public man and is responsible to this Legislature. I assure him that in case he resigns, we on the side of the House will not take up the portfolio. Let the Government take up that subject in the Reserved Half. If it is taken over by the Reserved Half, the Government will be taught a lesson. When the Hon. the Minister was on this side of the House, did he not speak in very strong terms against this evil as the chief spokesman of the Justice Party? I was some time ago very much pleased when I read some of his speeches delivered from this side of this House, and now I don't know what makes him change his ideas. I don't think it is for the sake of the salary he gets. If he resigns, his name will certainly go down to history and coming generations will praise him. Several Ministers have come and several Ministers have gone and all their names will not go down to history. If the Hon. the Minister resigns, not only will he be praised here, but also in other countries, especially in America, and his name, next to Gandhiji's name, will be on everybody's lip.

“Some time ago, one responsible gentleman who is now in this Council told me that those who have experienced the evil effects of strong liquor speak very strongly against it in the Council. Perhaps, he thought I was a drunkard. I may assure that gentleman that never even as a medicine have I taken strong drinks though I have travelled in cold countries. Let that gentleman take it from me that I have not taken a drop of liquor till now and let him not say it again to me.

“The people whom I represent, the Depressed Classes, take toddy in the evenings. Some of my hon. Friends in the Council have said that it is very necessary for them to take toddy in the evenings after their day's labour. I say, Sir, taking toddy day after day is spoiling their families, their health and happiness. A resolution was passed by this Council some time ago that no toddy shop should be situated very near schools and other public institutions, and that on public holidays no toddy shops should be kept open. Now, we find toddy shops everywhere. If the Hon. the Minister thinks that he is not responsible to this Legislature, toddy wallahs seem to think that they are not responsible to the Government. As is the father, so is the son. Let the Hon. the Minister take the mandate from us and give effect to the resolution that was passed. If he cannot do so, it is but right for him to resign and get away.”

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* Mr. A. B. SHETTY:—" Mr. Chairman, Sir, year after year the Hon. the Minister has been telling us that Government accept the policy of total prohibition and of reaching that goal within 20 years, but he has not taken in hand any large programme of prohibition, because prohibition would mean loss of much revenue to the Government and it would also entail increasing expenditure for a large preventive staff which would have to be maintained for preventing smuggling and illicit distillation. Not only has no large programme of prohibition been undertaken but even the small experiments which Government have been trying in this direction have been given up one after another. Since April 1933, in several taluks, the experiment of closing arrack and toddy shops has been given up on the ground that it has proved a failure. In the matter of closing liquor shops on election days, the orders of Government have been slightly relaxed, by vesting Collectors with the power to keep open certain shops. Again, the closing of shops on Sundays has also been withdrawn since 1st April 1933. The prohibition of the sale of liquor to the hill tribes of the Nilgiris has been declared to be a failure. The Government have been considering for a very long time whether the possession of liquor by the hill tribes should be penalized but they never come to any conclusions on this matter. The Government have not made any attempt to explore the possibility of finding other sources of revenue for making good the loss which they would have to incur if prohibition were undertaken. In 1932, during the Budget debate on this demand, Diwan Bahadur Arogyaswami Mudaliyar made certain constructive suggestions pointing out to the Government how the excise revenue could be increased. He proposed an increased duty on arrack, an increased tree-tax and instead of the fixed licence fee on foreign liquor shops he proposed another system which would bring more revenue. He made some other suggestions also. The Hon. Minister said that some of these suggestions were under the consideration of the Government and he promised to examine them further and see what could be done. Sir, high taxation especially of the stronger liquors has become almost the cardinal principle of British liquor legislation. The policy of this Government is maximum revenue and maximum consumption. There is nothing that can stand in the way of this Government increasing the duty on arrack. The rate of duty on arrack in the Bombay Presidency as well as in the United Provinces is said to be much higher than what it is here.

" When the Retrenchment Committee was at work, the Raja Sahib of Bobbili who was a member of the committee at that time proposed that the work of supervision and the preventive work of the Excise department could be transferred to the Revenue department and the Police department. The Retrenchment Committee recommended this proposal for the consideration of the Government. I wish to know whether the Government have examined the proposal and what conclusion they have come to. Last year, speaking on this subject, Khan Bahadur Yahya Ali Sahib suggested that licensing boards should be established in every municipal area and that they should be given larger

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powers. The Hon. Minister received these suggestions with approval and promised to consider them. I wish to ask him whether these proposals have been examined and what the Government have decided to do in the matter.

“The adoption of the suggestions made by the late Mr. Arogyaswami Mudaliyar would result in increasing the excise revenue and the proposal of the Raja Sahib of Bobbili would economize expenditure. The money thus got may be set off against the loss to be incurred in trying prohibition in one or two districts. Sir, the Hon. the Minister should not take shelter under the plea that at a time of depression like this, things have to go on as before and that no new experiments in this matter could be undertaken till better days dawn. Of course, we all feel sympathy for the Minister in the difficult position in which he is placed in regard to this subject, but at the same time, we want him to find out what he can do to work his way towards total prohibition in regard to which he says that Government have accepted it as their policy as recommended by this House.”

3-15
p.m.

* Rao Bahadur A. T. PANNIRSELVAM:—“Mr. President, Sir, this is one of the amendments by means of which we are treated with sermons year after year on the evils of drink and lip-service is offered at the altar of prohibition, not merely by Members but even by Ministers. I do not want for a moment to minimize the importance of educating the people to be temperate in their ways and more particularly temperate in their drinks. I should certainly advocate all methods that could be devised by Government for the purpose of educating the people to a sense of the evils and dangers that are concomitant to excessive drink. I should certainly suggest a select committee or an expert committee, if you like, whereby right up from the cradle, our people, men and women, would be educated in the evils of drink and if possible to give it up altogether, so that even at the age of Mr. Premayya, they might be able to come up and say ‘I have travelled from East to West, I have gone over all the countries, but not a single drop of alcohol has ever entered my mouth.’ I should certainly welcome the day when the 350 millions of this country and more particularly the 42 millions of this Province can say it. It is a different thing however to advocate what we call prohibition. Hon. Members of this House might remember that years ago when the non-co-operation movement was started, Mr. Gandhi was never tired of preaching to us about the evils of a slavish mentality, and I submit, Sir, that the slavish mentality of our people has never been more evident than in borrowing whatever novelty might be set afloat in the West, whether it be prohibition or birth control or whatever other novelty it might be, including nudism; and advocates of these things immediately spring up in this country, associations are started.”

* Mr. SAMI VENKATACHALAM CHETTI:—“Nudism in this country!”

* Rao Bahadur A. T. PANNIRSELVAM:—“It is coming and Mr. Sami Venkatachalam Chetti might become president of it. Now, Sir, this is an idea which we have borrowed from the West and during the last

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few years, no occasion has been missed by any one who has aspired to be called a nationalist for advocating prohibition. I know if one says anything against prohibition, if one oppose it, he would be considered an anti-nationalist. But speaking for myself, I have not the slightest hesitation in saying that people who advocate prohibition do not understand the implications of what they say. I am not looking at it purely from the point of view of revenue to the Government or the excessive expenditure that Government would have to incur if really prohibition was to be undertaken; I put it on more elementary and simple grounds, but at the same time fundamental grounds of governmental interference with individual liberty. I do think that it should certainly be open to me if on an evening I want to have a little relaxation to have it; it is not for the Government to come and interfere and say, you shall have this sort of relaxation and not the other. Governmental interference can only come in if a person indulging in certain kinds of pleasure does thereby interfere with other people's rights. I would certainly advocate the interference of Government when anybody indulges in excessive drink; it is therefore, I say, that temperance should be made one of the main works of the Excise department and people should be educated to give up drink. We find, Sir, in America, it has been shown that as a result of this sort of unedifying and unprovoked interference with individual liberty and putting all sorts of objectionable restrictions on a person's liberty, you certainly incite him—it might be indirectly—to break the law. We find, as a result of years of experience of prohibition in the West and in America, how crimes have increased and how, after experimenting upon prohibition for a certain number of years, they have ultimately had to give it up. I think, Sir, that to these advocates of prohibition in this country, the example of America ought to prove a very salutary lesson.

“Therefore, while I am opposed to prohibition, I should certainly think that the Minister—in his heart of hearts he does not believe in what he says when he says that total prohibition is the ultimate aim and object of the Government which he represents on the occasion—would realize the necessity for starting regular temperance propaganda campaigns. I do not suggest that the committee which was set up a few years ago and which was last year abandoned as a measure of economy, was a very good experiment. I do not urge for its resuscitation, but I urge some sort of well-thought-out plan whereby we shall not be content with pleading for prohibition on the floor of this House once every twelve months; instead of doing that, let us do something which will reach the man in the village, which will educate the boy in the village school and bring him up in fear of the evils of drink and create in him a natural aversion to drink, so that in course of time—it might be 10 or even 15 years—we shall find advocates of prohibition—not governmental prohibition but natural, spontaneous and moral prohibition.”

* Mr. SAMI VENKATACHALAM CHETTI:—“Sir, though I do not see any usefulness in speaking upon this motion, yet having regard to the

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stand-still policy that is being followed by successive Ministers in respect of excise, I am obliged to speak at least to repudiate some of the remarks made by my hon. Friend from Tanjore, Mr. Pannirselvam. I thought there would be no two opinions as to the necessity for complete prohibition of the drink evil in this country, but I am afraid, while desiring that temperance propaganda should be instituted to educate the new born baby from the cradle to the grave of the advantages of prohibition, he would still not believe in prohibition. I think he is blowing hot and cold when he is advancing an argument of this sort. Our complaint against the Minister is that, while he has accepted the policy of his party to be prohibition within a certain period of years, he has not done anything towards achieving that end. It is mere sophistry to say that it will take 20 years from every year in which this cut motion is moved. I would ask the Hon. the Minister not to shilly-shally on this question. Let us have his definite opinion whether it would be possible to introduce prohibition and whether he is taking any steps for achieving that end. He cannot deceive the public by saying 'my party is against the drink evil' and yet remain silent doing absolutely nothing towards achieving that aim. It will be more honest for him and for his party to say, 'having regard to the circumstances prevailing in this country, it would not be possible to achieve complete prohibition in a stated period.' I expect the Hon. the Minister this time at least will face the question squarely and give us a definite answer.

"Well, Sir, the natural consequence of not being able to do what he has promised is what was suggested by my hon. Friend, Mr. Premayya. Surely no Minister who has got any regard for his responsibility to this House, can both promise a thing and fail to fulfil it.

"Then, Sir, with regard to the remark made by my hon. Friend, Mr. Muniswami Pillai, that the Sanatanists are responsible for the drink evil in this country, I am rather horrified. Not that I am speaking on behalf of the Sanatanists who object to reform; I am speaking on behalf of the genuine and real Sanatanists (Interruption) yes, including myself, when I say that it is a calumny against these Sanatanists to say that they were responsible for the drink evil in this country. I think that that misconception is due to his misunderstanding that the soma juice is the drink that he is complaining against to-day. Somehow or other, it has often been repeated that soma juice was a variant of the present drink. It is far from that. Anybody who has got an intimate knowledge with the various rituals performed by our ancestors would give the lie direct that soma juice is a variation or a variant of the present drink.

"As I said already, Sir, it will be proper on the part of the Hon. the Minister to tell the House definitely what he is going to do. Sir, in regard to a remark during the general discussion of the Budget that the Government have become callous to public opinion in proportion to the decline in agitation in this country, the Hon. the Finance Member

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took exception to that statement. Sir, you will see, and the Hon. the Minister will perhaps acknowledge, that during the ministership of Diwan Bahadur Arogyaswami Mudaliyar, when public opinion was very very strong against the drink evil, he was obliged to introduce prohibition in certain areas of some districts and the experiment was really successful so long as he was on the Treasury Bench, but the moment he came out of it, reports came from heads of departments that the experiment was a failure. Sir, one could not expect anything else from heads of departments who are never wedded to the belief that we can achieve prohibition in this country. Naturally therefore those reports have to be taken at a certain value. The Minister was perhaps too weak to take them at that value and yielded. That was why prohibition was withdrawn on the ground that illicit sales were going on in this Province. If it was so, it was up to the Government to bring them to book. If a man has committed a grave offence, could it be said that the law should be withdrawn? It is an unsound view for Government to take. Mr. Pannirselvam took objection to the attempts to restrict individual liberty so long as that liberty does not interfere with the happiness, comfort and convenience of other people. I agree with that proposition. But my contention is that these people not only spoil themselves but contaminate the whole of their surroundings and therefore it is not desirable that their freedom should go without restriction. What did China do? China is addicted to opium eating. But the other countries joined together and said 'we shall not send you opium because you as a nation are going down.' When you are prepared to do so much in respect of the welfare of other nations, is it not up to you when you feel that the drink evil is on the increase and that the people are ruining themselves and their homes, to see that the State interferes in matters affecting the moral and material welfare of the people? I therefore strongly support the motion."

* Rao Bahadur C. NATESA MUDALIYAR:—"Mr. President, Sir, Government accepted total prohibition as their goal some years ago. Minister after Minister was telling us that the Government's goal is total prohibition. Having that as the goal, Minister after Minister was finding ways and means as to how to achieve it and the limit for achieving it was fixed at 20 years. And Minister after Minister, year after year, was speaking of that 20 years from his time and the present Minister will perhaps speak of twenty years from this year. I want that the twenty years should commence from the time the policy was first enunciated. To achieve that end, they introduced prohibition in certain areas, abolition of toddy and arrack shops in certain areas and rationing in certain areas. These have to be extended year after year. On the other hand, our report shows that continues in the areas allowed, abolitions continue in some other areas and rationing is allowed to continue also in some other areas. Everything continues and nothing is extended. Our present Minister has got only one year more and I request that in the meanwhile he must make up for his inactivity and see that he extended prohibition in more and more areas extended abolition of toddy shops in more areas and extended rationing in more

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areas in this one year. As for the hon. Member Mr. Muniswami Pillai's remarks, soma juice no doubt existed. Our ancestors drank and danced in the name of God. Chanakya, the ancient finance expert, collected excise revenue. What the people then drank may not be the soma juice. That is a substitution for soma juice. Whether Sanatanists introduced it or whether Sanatanists existed in those days is a question to be investigated. As for Mr. Pannirselvam's remarks, of course, I like the idea that Government should do propaganda work. It was the policy of Mr. Arokyaswami Mudaliyar to have prohibition within 20 years and Mr. Muthiah Mudaliyar appointed a propaganda committee to do propaganda work. But unfortunately these things had to be given up on account of retrenchment. Sir, I request my hon. Friend, Mr. Pannirselvam, not to agitate for temperance, but do so for prohibition. Alcohol, whether in small quantities or large quantities, is injurious. Alcohol, whether in small quantities or large quantities, has the effect of disturbing the normal condition. On the stomach taken in small quantities it only irritates the mucus membranes and the glands and produces more juice and this aids digestion. It makes the heart beat more rapid. Temporarily the normal state of the heart is gone and it stimulates the stream in the blood vessels. There is more rapid flow of blood. There is a glowing warmth felt. Then, Sir, the effect of alcohol on the brain and the nervous system is stimulation again. Flow of ideas, sharp wits, general enthusiasm and argumentative spirit are all the results of such stimulation. If you take more of alcohol, stupidity, unsteady gait, idiotic look, and incoherent speech are the results. Even in small quantities alcohol is bad. A man comes to a doctor with cirrhosis of the liver; when asked he and his friends believe and say that he never takes alcohol. When forced to say more he simply says that he was taking only a little bit. It is that little bit that was the cause of the disease. In small quantities it produces fibrous tissues in the various parts and even in the heart itself. Never stand for alcohol in small quantities. In the Ashantee expedition they tried the experiment of substituting tea for alcohol. At the rate of one ounce of alcohol after $2\frac{1}{2}$ miles, a soldier became exhausted. The exhaustion was more than the exhaustion he had before the one ounce of alcohol was given and the depression was more intense. The report says:

'The reviving effect goes off after at the utmost two and a half miles of additional march, and sometimes much before this; then the previous languor and sense of exhaustion not only return, but are sometimes more intense, and if alcohol is again resorted to, its effects are now less satisfactory.'

Drink produces depression. Depression will be more intense and to bring one to the former position more alcohol is required. Alcohol is not food but it produces energy, it draws it from the body.

" Medical opinion says:

'He draws so to speak, a bill on his health, which must be always renewed, because, for want of means, he cannot take it up; he consumes his capital instead of his interest; and the result is the inevitable bankruptcy of his body.'

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That is the evil of alcohol even in small quantities. In the Ashantee expedition the soldiers were able to get on, with one ounce of tea instead of one ounce of alcohol.

“ The medical opinion is :

‘ This expedition would have been a bright era in our military annals had it no other result than that of proving the fallacy hitherto believed in of the necessity of providing our men when in the field with intoxicating liquors.’

So, there is the authority of medical men. Experiments were tried and even to keep up the spirits alcohol is not to be encouraged. There are many points to be said but there is no time. Coming to our Minister, what is he going to do? Sir, he has appointed licensing boards. But when the licensing boards say that a certain shop should be closed there is the Commissioner of the Board of Revenue who as a rule says that it cannot be done. It was so with one shop at Triplicane. There is no use of the suggestion of Mr. Premayya asking the Minister to resign. There are many persons on his side alone ready to occupy his place in the Cabinet. So, I will not ask him to do that indiscreet act, Sir. Mr. Premayya can be sure that there are people in the opposite side also to take the place and my hon. Friend, Mr. Premayya, cannot control them. He has as much interest as any of us in the country to see that total prohibition is sanctioned. Our Minister is an Indian and he has as much interest as any of us. There is the accumulated work of these three years. I hope he will attend to them. But I will never advise him to resign.”

* Mr. M. S. SRESHTA :—“ With considerable diffidence I rise to speak after Dr. Natesa Mudaliyar. I am afraid I am one of the few who are against prohibition. It is not possible to carry out prohibition. No Minister will take upon himself the responsibility of carrying out the policy of prohibition. My hon. Friend, Mr. Shetty, said that the Minister or the Ministry should find out some alternative method of raising the revenue now recovered from excise. I think the excise revenue is half of land revenue which is a very large one. Mr. Shetty said that some alternative should be found for that amount. I was wondering why he himself could not find out the alternative. I am not aware of any Member who is in a position to suggest an alternative. Again, you will have to find not only the money recovered from excise but you will also have to provide the necessary money for effectively carrying out the policy of prohibition. This question has been before the eye of the public and the Indian Taxation Committee took up the question and the Excise Commissioner of a certain Province said that he would require a standing army to carry out prohibition. A Minister in one Province said that two crores will be necessary to carry out effectively the policy of prohibition.

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“ I do not think it is possible for any Minister to say honestly on the floor of the House that he will be able to achieve prohibition. In view of this circumstance, I think the correct thing to do would be to see what we can do in a practical way. In the first place, I agree with my hon. Friend, Mr. Pannirselvam, when he said that we may

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have some educational propaganda to begin with so that people may grow up without feeling the need for drink. Side by side with that propaganda, we must see how exactly we ought to meet the present conditions. Is it possible to carry out total prohibition in this country when almost every compound has a number of coconut trees? As I said last year you will have to employ a policeman for every compound to see that the coconut trees are not tapped. In the second place it is best for us to see how we can collect the entire revenue from excise without leakage? Whatever we may do there will be leakage of revenue. Now there is a pretty large amount of leakage from excise revenue on account of our half-hearted attempt at prohibition. A good many of us talk here about prohibition being necessary and even the Hon. Minister sometimes says that his ideal also is prohibition but that, unfortunately, he cannot carry out. The result of this half-hearted policy is that whereas we are not stopping drink, we are denying to ourselves a large slice of revenue and a good deal of the money which ought to go into the coffers of the State is going into the coffers of private individuals. This leakage must be stopped.

“The second point is that a good deal of the money which ought to remain in the country is now lost to us, because a certain quality of liquor, which is good and which is made locally, is called foreign liquor and extra duty is levied on it. This results in the inability of this quality of local liquor to stand foreign competition. Mr. Wright, when he was in this Council, said that it was desirable that this excise duty should be removed from the locally manufactured liquor. I would request the Hon. Minister to do that. I think if this duty is abolished, it will be possible to keep in the country itself a good deal of the money now going out.

“A good deal of beer is being consumed here. I have no objection if hon. Members pass a resolution to the effect that no beer should be drunk in the country. But so long as there is no such resolution and so long as there is beer drunk in the country, I ask why we should not encourage local beer? I think the duty which is levied on beer made in Bangalore and other places might be reduced so as to encourage this local industry. If the steps I am suggesting are taken, it will be one way of solving the trade depression. On account of depression we are now losing a large portion of our revenue and the cry is for more remission. When that is the case, if we stop excise revenue, how are we to carry on? So, till some concrete method is put before the House for making good the loss in land revenue, what we should do is to see that whatever money is possible to be made out of excise, should be made.

“Last year, I pointed out that a good deal of profit could be made if liquor could be manufactured out of cashew fruit. Thanks to the Hon. Minister, an experiment in this respect is to be launched shortly. By manufacturing liquor out of the cashew fruit, I may assure the House we will not be increasing the consumption of liquor, because, already it is being manufactured illicitly. I am only suggesting that what is being done stealthily and illicitly, may be done openly. In

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this connexion I would ask the Government to see that this experiment is carried out in South Kanara and not in Malabar. As most of the cashew fruit is found in South Kanara, the experiment may very profitably be made there and not in Malabar.

“ Sir, I suggested last year that we might consider the question of manufacturing wines from fermented toddy. We are getting into our province about 12½ lakhs worth of this commodity every year. There is no reason why this industry should not be started here. This question has been taken up in Ceylon and I find that the Cabinet there is considering the desirability of starting operations. A new official has been appointed and investigations are being made and research work is being carried on. I would suggest to the Hon. Minister that he might enquire of the Ceylon Government as to what is being done there and follow their example here. Sir, my object in making these suggestions is to see that we do not lose any money. Already there are indications that the excise revenue is diminishing. Therefore it is worth while for the Hon. Minister to explore all possible means of increasing the revenue from this source without at the same time increasing consumption.

“ There is one last point which I want to mention. As I said, the Government have committed themselves to a policy of controlling the consumption of liquor. Now therefore it is up to them to see that the liquor which is being drunk by the people is of good quality. Unfortunately the Hon. Minister is a teetotaler. Otherwise he would realize that the liquor which is sold in the taverns is inferior in quality and full of deposits. I think some steps should be taken to improve the quality of this liquor; if the Hon. Minister is not able to do this, he would be only strengthening the hands of those who are against the consumption of liquor in this country. I hope the Hon. Minister will boldly carry out these steps as he is not able to carry out prohibition and that he will see that no money leaks out and that all money that can be made out of excise is credited to the Government.”

Mr. BASHEER AHMED SAYEED :—“ Mr. Chairman, Sir, I do not want to traverse the ground that has already been traversed by my predecessors. I would confine myself to two or three points without touching the general policy of total prohibition or progressive prohibition. Belonging as I do to the Moslem community which stands opposed to any policy of drink, I would always advocate total prohibition. But whether total prohibition is going to be achieved in the near future or in the distant future, I think that question has now become, after years of experience, a futile one. I would therefore say only this much that in the policy as administered by the Government there are very many defects which deserve notice by the Hon. Minister. In the first place, I should refer to the way in which the Excise department is working in the City of Madras. We have the policy of the Government which has laid down that wherever schools are situated, wherever the depressed classes' cheris are situated the toddy shops should not be located in the neighbourhood. But what do we find? On the route

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taken by the Hon. Minister for Excise on his way home from this House, in the Mylapore Cutcherry Road, very near the mosque, there is a toddy shop. After great difficulty its removal was effected to a place a little beyond. But still the nuisance is very great and nobody has been able to get it removed farther away. In the Ibrahim Sahib street there is a Corporation school where depressed classes boys are educated. There is also a cheri near by where thousands of depressed class people are living and the Corporation is constructing huts for them. In that area too a big toddy shop has been located. Applications have been made by the residents of the division for its removal. Even the Adi-Dravida residents have asked for its removal. But what has the Excise Licensing Board done? Its powers are limited and its voice is ineffective. The constitution of the Board is so defective that nothing could be done in spite of the large number of memorials sent up. Either the Hon. Minister must get rid of this Excise Licensing Board and bring into existence a more effective body which will function very well or he must reform the present Excise Licensing Board. I consider that the members on the Board do not reflect public opinion, or, if they do that, they are incompetent to take suitable action. Their sole concern seems to be the income of the Government. They seem to be concerned only with the revenue side and nothing beyond that. The health or the moral education of the people does not appear to be a concern of theirs. I would therefore ask the Government to institute an enquiry into the exact position as to how this policy is being worked in the City of Madras. Sir, the sooner these shops are removed from the school and cheri areas the better it is for the health and well-being of the people concerned.

(The Hon. the President took the Chair.)

“ My hon. Friend, Mr. Pannirselvam, said that he is against prohibition. He advocated temperance. But what is it that has been done with regard to temperance? In other countries they have tried various experiments. One such experiment which occurs to my mind is the experiment of local option. Sir, even in this country Local Option Bills have been passed in other provinces. Why should we not try it in this Presidency? The Hon. Minister may not go in for a full-blown prohibition policy, but let him start with the Local Option Act. If he would undertake to pilot a Bill for this purpose, well and good; but, if he is not in a position to do that, will he, Sir, permit any private member to bring forward such a Bill and enable it being passed with the support of the Government? Let us try here this Local Option Bill which may go far towards temperance if the Government are not able to carry prohibition into effect. The experiment of prohibition or rationing was tried in Salem district. Public opinion was that it succeeded to some extent, but no public announcement has been made as to why that has been abandoned. If the public opinion was that the experiment there was a success, why should not that be pushed on? People at one time thought that that experiment would be extended to the other

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areas. But the whole thing has been closed down even in the Salem district. May I suggest that that experiment should be re-started in the Salem district again and extended to other districts also?

“ Sir, I would refer to one more matter and then resume my seat. During the recent cyclone as the Hon. Finance Member admitted much damage was done in certain districts, and the excise revenue was also affected adversely in consequence. For part of it, of course, the economic depression was responsible, but the havoc caused in the district of South Arcot, etc., by that cyclone affected also the excise renters. Any number of coconut trees fell. Although I am not sorry for this happening, the contractors who have taken up their leases suffered immensely and are finding it difficult to pay the kist. Will the Government receive the dues from them after giving them sufficient time to make up their losses or rack-rent and ruin them by compelling them to pay every pie in time? I make this observation, Sir, because cases have come to my notice that in several taluks of South Arcot the excise officers are oppressing these people for the realization of this revenue. After all, the income has to be received by the Government. It has to be paid by the contractors. But will any relief be given to them even as relief is afforded to landowners and cultivators, to pay in easy instalments and conveniently? I would request the Hon. Minister to institute an enquiry into the condition of these contractors and afford them such relief as may be possible.”

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* Rao Bahadur R. SRINIVASAN:—“ Mr. President, Sir, I rise to speak on behalf of the voiceless drinking population. By the sale of adulterated and poisonous liquors and other intoxicating spirits and drugs the Government have realized, say, about 430 lakhs, of which they demand for grants about 30 lakhs. The remaining (about) 400 lakhs are to be sent on various purposes for the enjoyment and benefit of the non-drinking population. The drinking population is small. They come from depressed classes. It is quite justifiable that the drinking population should demand a fair proportion of the 400 lakhs for their betterment—education of their children, etc. They grudgingly allot about 9 lakhs a year for their betterment and education. Surely they can spare 100 lakhs a year, Sir, when rich landowners clamour for remission of land revenue, though they are enjoying several amenities; really the poor people in these hard days have reason to claim remission of certain amount from the excise revenue to which they have contributed, to better their condition and educate their children.

“ The country arrack sold for consumption contains verdigris. It is due to bad distillation. Neither is the still cleaned nor the distilled liquor purified. A friend showed me a small bottle in which he has been getting arrack the inner plate of which was coated with a green stuff. A small quantity of verdigris taken every day into his stomach would poison him. No wonder people who drink country arrack get sickness soon. They die prematurely. It is quite unfair and unjustifiable for the Government to sell such poisonous stuff to cut short the

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life of a wage earner and leave his wife and children without any protection. Besides, the arrack is largely diluted and highly priced. A prohibitory duty may be laid on the wholesome foreign liquors.

“ Sir, drinking is an acquired habit. The resolution carried in this House and the Government Order passed thereon to close liquor shops on Sundays and public holidays is not strictly observed. It makes one to believe what the people say, viz., that the Excise department is corrupt and full of bribery.

“ The prohibitionists are a source of pin pricks to these victims—the drinkers. They should tackle the Government—the culprits.

“ Sir, I appeal to the hon. Members of this House to have mercy on these poor people who have fallen into the drinking habit and especially to the Finance Member to show his sympathy. I hope it will not be like getting blood from iron. I pray to the Hon. the Minister for Excise to take prompt action. I hope my prayer will not be like expecting fibre from a stone.

“ One hon. Member made mention of Sanathanists and soma juice. The process of drawing toddy from palm trees may be attributed to soma juice. The liquor was introduced into this country by the Englishmen; wherever they went they took with them brandy bottles and missionaries.”

Diwan Bahadur S. ELLAPPA CHETTIYAR:—“ Mr. President, Sir, I wish to say a few words on this cut motion in order to discuss the necessity for the removal of liquor shops from the road sides.

“ It is a matter for regret, Sir, that in spite of repeated protests against the location of toddy shops on the road sides nothing tangible has been done in this direction. The declared policy of the Government that the toddy shops in the Presidency would be closed down in the course of twenty years has not been kept up; and the progress is painfully slow and disappointing. But what is even more painful is that some toddy shops in the Salem district are situated right on the road sides. An investigation into the matter would disclose that the villagers were not prepared to lease out a suitable site for the location of a toddy shop, and in the absence of a suitable Government poramboke, which could be turned for the use, the departmental officers have thought it expedient to permit the erection of a shop on the road side without even consulting the local authorities, in whom the road margin is vested. This would mean that the shop is inflicted on the people against their will. This is really cruel; and to expose the people who haunt the shops to the dangers of motor and other traffic on the road is even more so. I wish the Hon. Minister for Excise will take early steps to see that the toddy shops are not located on the roadsides, but removed to the interior at least half a mile from the roadside.”

* The Hon. Diwan Bahadur S. KUMARASWAMI REDDIYAR:—“ Mr. President, Sir, I wish to acknowledge with thanks that the criticisms of the hon. Members who have spoken on this motion have been

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sobered by an appreciation of the practical difficulties in carrying out the policy which they advocate as an ideal. Hon. Members have pointed out, and I have myself more than once mentioned on the floor of this House, that this Council has passed resolutions to the effect that total prohibition must be the goal of the Government, which should be reached within a reasonable period of time, which they fixed as 20 years. The difficulty in carrying out this resolution was present to the mind of the Council when they passed it, and on one occasion, when they passed such a resolution, they added to it the rider that the Finance Committee should examine and suggest other sources of revenue, which will take the place of this excise revenue.

“ My hon. Friend, Mr. Hameed Khan, who started the debate on this motion, was not therefore quite right when he said that this question was not at any time referred to a committee. It was definitely referred to the Finance Committee, which is a representative body consisting of hon. Members of this House, who represent the various parties in it. After nearly two years of examination, they could not produce any better result than the mere statement that they had no remarks to offer on this question. Well, if that was the result of their laborious examination, my hon. Friend was not justified in accusing the Government of not having bestowed any thought on this question.

“ On another occasion, when a similar resolution was passed, the resolution was placed before the Advisory Committee, which the Government have constituted for the purpose of advising it on matters relating to excise and consists of Members of this House. They said, and they were quite right in saying that, the first essential step towards the achievement of this goal was the creation of an active public opinion in this country, which will favour measures of prohibition and co-operate with the Government in carrying them out. It was with this end in view that the Central Propaganda Board and Propaganda Committees in the districts were constituted. But hon. Members would remember that within a year or two of the constitution of this agency for doing propaganda, a period of unprecedented financial stringency began, and a Retrenchment Committee was set up to consider measures of retrenchment. One of the proposals of this Retrenchment Committee was that the Central Propaganda Board and the District Committees working under it should be abolished, and the amount of four or five lakhs that was being spent upon them should be saved for other purposes. And moreover doubts were expressed even on the floor of this House whether this agency was doing work commensurate with the large sum of money that was spent upon it.

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“ When the Retrenchment Committee made this recommendation, the Government examined the question most thoroughly and decided to accept it but at the same time they thought it would be unwise to stop all propaganda work in the Province and said that as far as possible they would subsidize non-official agencies which came forward to do genuine propaganda work. In the very year in which these agencies, the Central Propaganda Board and the District Committees, were abolished a sum

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of Rs. 10,000 was set apart for aiding these non-official agencies which were engaged in temperance propaganda. A sum of Rs. 10,000 was proposed to be set apart next year, but the Finance Committee which examined the proposal placed it in Class III and did not sanction it as a Part II scheme. Even a small sum which was found by reappropriation and placed in the hands of the Director of Public Health for aiding propaganda was not fully spent. This year also a sum of Rs. 5,000 was proposed to be set apart but the Finance Committee reduced it to Rs. 1,000. I am mentioning all this not as complaints against the Finance Committee but for showing that on an examination of the relative urgency of the various schemes that were placed before them they did not consider this propaganda work so very essential as to be included in the Part II schemes for the year either fully or partially. Anyhow, the policy of aiding non-official agencies which are engaged in propaganda work is still being continued by the Government.

“ My Friend, Mr. Muniswami Pillai, mentioned that during the last one or two years nothing has been done by way of introducing prohibition though during the previous three or four years a great deal was done. While I cannot agree with him when he says that nothing has been done during the last one or two years or that a great deal was done during the previous three or four years, I am prepared to admit that less has been done recently than during the previous years. The best answer was given by my friend, Mr. Muniswami Pillai, himself in his speech when he mentioned the financial difficulties of recent years and I would only reinforce his reply by mentioning to him some figures. In the year 1929-30, when as he says a great deal of prohibition work was undertaken, the excise revenue amounted to 592.25 lakhs. Next year also when prohibition measures were undertaken, though not on the same scale, but on a fairly large scale, the excise revenue amounted to 528.37 lakhs. I would ask my hon. Friend to look into the Budget figures of this year and of the next year and see for himself what the revenue under excise is expected to be. The fall is in the neighbourhood of two crores. Yet does he expect that the Government would be in a position to sacrifice any considerable portion of its revenue by undertaking experiments in prohibition? I would also recall to the minds of the hon. Members of this House, how keen they have been on getting large remission of land revenue. If I am to come forward with large proposals for prohibition and make further inroads on the resources of the Government, would this House excuse me for the further embarrassment that I would thereby cause to the Government in granting the remission that they ask for in favour of the agriculturists? If any moment was inopportune for undertaking these experiments of doubtful value, I think the present is one and instead of accusing me for not having undertaken any such experiment, and thereby involved the Government in additional expenditure, I should venture to say in all humility that the House should thank me for not having launched upon any such experiment. I have repeatedly said on the floor of this House that I shall, to the extent to which it is possible, undertake measures of prohibition in this Province.

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"My Friend, Mr. Sami Venkatachalam Chetti, said that the hon. Member, Diwan Bahadur Arogiaswami Mudaliyar, when he was Minister in charge of Excise introduced large measures of prohibition and added that enthusiasm for prohibition has decreased since he gave up office. The agitation for prohibition having declined he thinks that the interest of the Minister in prohibition has also vanished. I can easily demonstrate to him that these statements of his are absolutely erroneous. No measure of prohibition, I am sorry to say, was introduced during the Ministry of Diwan Bahadur Arogiaswami Mudaliyar; he was engaged in framing a big scheme of prohibition, but before it took any shape and could be worked his term of office ceased. The experiments in Salem to which my Friend, Mr. Sami Venkatachalam Chetti, made a special reference were started during my Friend, Mr. Muthiah Mudaliyar's time and were considerably extended in my time. I mentioned to hon. Members of this House last year how painfully and how reluctantly I had to agree to the abandonment of these experiments. I would have done as I said then a great piece of disservice to the people of that locality if I continued those experiments any longer. The experiment itself was started on the assumption that public opinion in that area had so greatly advanced in favour of prohibition that we could introduce it with success. No doubt, at one stage, there was some amount of public opinion against drink as a result of an intensive campaign of propaganda work undertaken by a body of people who were engaged in rural reconstruction work. But for some reason or another their activities slackened and with the slackening of their efforts the public opinion against drink also began to disappear. It became evident that it would be impossible to stop people who were accustomed to drink in that area from drinking. Instead of getting the drink from near their houses as they used to do, they had to travel some miles cutting short their working hours and incurring additional expenditures. Illicit manufacture also increased enormously. In spite of reports to this effect Government were very reluctant to give up the experiment which was started under such good auspices and so asked the Commissioner himself to make a personal enquiry; and he did so. He inspected the area and interviewed a number of people who were accustomed to drink and a number of others who were disinterested and as a result of his examination, he reported to the Government that there was no alternative to the abandonment of the experiment altogether. I explained all these circumstances to hon. Members of this House last year and I thought it satisfied them. I might also mention again for the information of this hon. House that in the same order Government have said that if evidence was forthcoming that there was any genuine desire on the part of the inhabitants of that area to stop drinking, they would start the experiment again. If my hon. Friends who represent the district of Salem are prepared to produce any evidence which will show to the Government that there is a feeling again in favour of this measure of prohibition, the Government will certainly introduce it once again.

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“ My hon. Friend, Mr. Shetty, referred to certain constructive suggestions which were made by our late lamented Friend, Mr. Arogiaswami Mudaliyar, and pointed out that the idea of that hon. Gentleman was to make more money by increasing the duties on liquor and employing that money for making these experiments on prohibition. I may say for the information of my hon. Friend from South Kanara that we have fully considered all these proposals: some of them had already been examined and some others were examined later and the duties on liquor have in many cases been increased but the proceeds of these increased duties have by no means been enough to justify our embarking on any measures of prohibition. I may mention one or two cases in which we increased the duties within recent years. With regard to arrack I may mention that the duty on arrack is not uniform throughout the Presidency. It differs with each district or each group of districts. In the district of Vizagapatam it was increased from Rs. 5-7-9 to Rs. 6-14-6. In the case of Ganjam it was raised from Rs. 8-7-0 to Rs. 10-10-0. In the case of Coimbatore, Salem and South Kanara it was increased from Rs. 8-7-0 to Rs. 8-13-6. In the case of foreign liquor the duty on imported spirits and beer was raised from Rs. 21-14-0 and 8 annas to Rs. 30-12-0 and 12 annas respectively from 1st March 1931. It was again raised to Rs. 37-8-0 and 15 annas respectively from 30th September 1931. Still my hon. Friend accuses the Government of not having paid any regard to the suggestions of the late hon. Diwan Bahadur Arogiaswami Mudaliyar. In spite of the increased duty, my hon. Friend will see that the excise revenue has fallen considerably and there is no money with which we can undertake any measures of prohibition. My hon. Friend, Mr. Shetty, also referred to the fact that the Government have ignored the recommendations of the Retrenchment Committee that the work of the Excise department should be distributed amongst the Revenue and the Police department and all the money that is now spent on the Excise department would then be a saving to the Government. In the first place I may tell my hon. Friend, that there was no recommendation of that kind from the Retrenchment Committee. There was a proposal made by one hon. Member of the Retrenchment Committee that it would be worth while for the Government to examine this suggestion that he made. But the other hon. Members of the Committee thought there was no material on which they could pronounce any opinion on this suggestion and so they were not prepared to make any recommendation to the Government on this point. But the Government have however examined the suggestion and they thought it impracticable to accept it.

“ My hon. Friend, Mr. Basheer Ahmed, referred to some grievances of his with regard to the location of toddy and other liquor shops in the City of Madras. In the City of Madras, we have a licensing board of which my hon. Friend, Doctor Natesa Mudaliyar, is a member. I may also mention for the information of this hon. House, that on each licensing board whether it be in the City of Madras or in the districts, the Government have made it a rule that at least one non-official Member of the Legislative Council should be a member. If anything wrong

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happens in a licensing board, it would certainly be the easiest thing for the Member of the Legislative Council who sits on that board either to bring it to the notice of the Minister or raise it in the Legislative Council if the matter is of sufficient seriousness to justify that course. My hon. Friend, Doctor Natesa Mudaliyar, is on the licensing board for the City of Madras. We all know Doctor Natesa Mudaliyar and I am sure hon. Members will agree with me when I say that he is not the sort of man who will take anything improper lying low. If anything wrong happens, I am sure he would protest against it and see that it is set right.

“ I think I have met most of the points except what my hon. Friend, Mr. Raman Menon, has just reminded me about and that is a point to which my hon. Friend, Mr. Muniswami Pillai, also has referred, namely, the question of partial prohibition in the Nilgiris. Sir, my recollection must be very very erroneous indeed if what he says is true, namely, that I have never had any consultation with the representatives of Nilgiris on that point. I may not have held a regular conference and had a formal discussion with them, but I am perfectly sure that on more than one occasion I have discussed this subject with hon. Members coming from the Nilgiris district. In fact last year, I mentioned that the views on either side were so conflicting that it was difficult to come to a decision on the question but that in view of the strong opinions expressed by the hon. Members coming from Nilgiris I shall have a further examination of the question made. And that further examination has been made and fresh materials are now in the possession of Government which it is my intention to place before those hon. Members and elicit their further views with regard to them and it is certainly not my intention to make up my mind and come to any decision without consulting them. I have been taking them into my confidence from the very beginning and I can assure them that I shall do nothing without a consultation with them with reference to all the facts and figures available to the Government.

“ My hon. Friend, Mr. Hameed Khan, did not ask me to take a bold step forward but he only asked me to do what was possible for me to do under the existing difficulties. I hope I have convinced him that the Government are doing what may be considered possible under the present conditions.”

MR. ABDUL HAMEED KHAN :—“ I beg leave to withdraw my motion.”

The cut motion was, by leave, withdrawn.

The Demand was put and carried.

DEMAND III—STAMPS—RESERVED.

* The Hon. Diwan Bahadur Sir M. KRISHNAN NAYAR :—“ Mr. President, Sir, on the recommendation of His Excellency the Governor, I move—

‘ that the Government be granted a sum not exceeding Rs. 2,04,500 under Demand III—Stamps—Reserved ’.”

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* Mr. K. KOTI REDDI :—“ I move, Sir—

that the allotment of Rs. 2,04,500 be reduced by Rs. 100.”

I propose to address myself mainly to the question of the necessity for the reduction of stamp duties. The two items—judicial stamps and non-judicial stamps—ought to be regarded as distinct from each other. As regards judicial stamps, I believe no civilized country wants to make a profit out of the administration of civil justice, but in the case of non-judicial stamps, it is purely a form of taxation. Let me first take judicial stamps and examine whether the Government have been following any intelligible policy with regard to court-fees a policy which ought to be invariably adopted whether the finances of the Government are good or not. First of all, I consider that Government ought not to make a profit out of the administration of civil justice. I have more than once requested the Government to find out whether or not they are really making a profit out of the administration of justice. Last year I tried to show that the Government are making a profit of about Rs. 50 lakhs out of the administration of civil justice. Let me examine the figures this year. Now in the Budget Estimates the expenditure necessary for the administration of civil justice is included along with the expenditure necessary for the administration of criminal justice. With regard to the administration of criminal justice, I do not think the Government want to go against the well-known principle not to tax any particular set of people for finding the necessary money to carry on the administration of criminal justice. Justice demands that this expenditure ought to be met out of the general revenues and that all people should contribute to it. It is only with regard to the expenditure incurred on the administration of civil justice that the Government ought not to tax the general tax-payer. They ought not also make a profit out of it. If I can show to the Government that with the income from the fees charged for the administration of civil justice, the Government are not merely able to meet the expenditure necessary for the administration of civil justice but are also making a profit, the injustice of imposing such heavy court-fees will be evident. I shall give a few figures which I have taken from the Budget Memorandum and the Civil Budget Estimates and the other information from my own experience. Being a layman, some of my calculations may be wrong and I hope the Government will correct them. It is my object to show to the Government that as much as Rs. 50 lakhs profit is made by them out of the administration of civil justice.

“ Let me first take the question of expenditure. It may be rather troublesome to go into all the details, but it is necessary in order to convince the Government that they are adopting a very wrong policy in taxing civil litigation for the purpose of meeting their expenditure in other directions. If the Government want to levy a tax on civil litigation in order to discourage litigation, it is a different matter and let them say so. If the Government think that the litigants can afford to pay and therefore ought to be made to pay, that is also a different matter.

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But then, there are among the litigants poor ones and rich ones and the Government will then have to find the rich litigants and tax them. But the Government do not adopt any such policy.

“ Now let me turn to page 50 of the Budget Memorandum and go through item by item of the expenditure mentioned there and estimate how much of the amounts provided under the various heads is necessary for the administration of civil justice alone. The amount provided for the High Court is Rs. 13.25 lakhs. I allot three-fourths of the amount for civil justice and one-fourth for criminal justice. In this allocation, I am erring more in favour of the Government, for I think that something more should be allotted for criminal justice. Anyhow, three-fourths of the amount is Rs. 9.93 lakhs for civil justice. With regard to law officers consisting of the Advocate-General, the Solicitor-General, and Public Prosecutors, etc., I will allocate half the sum provided for civil justice and half for criminal justice. That comes to Rs. 2.05 lakhs for civil justice. The whole amount under Administrator-General, I will allot for civil justice, because he has nothing to do with criminal justice. That comes to Rs. .33 lakhs. The whole amount under Presidency Magistrates' courts should be allotted to criminal justice. With regard to civil and sessions courts, I allot Rs. 52.14 lakhs out of Rs. 64.14 lakhs for civil justice. The whole amount under Courts of Small Causes, (Rs. 1.5 lakhs) should be allotted to civil justice. The whole amount under criminal courts should be allotted to criminal justice and not to civil justice. How I arrived at 52.14 out of 64.14 is as follows: The amount allotted to District and Sessions Judges should be divided half and half and one half should be put against civil justice. That will come to Rs. 2.42 lakhs under non-voted and under the same heading there is a votable item for District and Sessions Judges of Rs. 1.83 lakhs. Half of it comes to Rs. 91,500. The remaining items with regard to Sub-Judges and Munsifs are all included in civil justice. That gives another Rs. 13.8 lakhs. With regard to pay of establishments, I have taken four-fifths for civil and one-fifth for criminal justice; four-fifths of 43.15 lakhs comes to Rs. 34.52 lakhs. This 43.15 is the balance for establishments after deducting from 64.14 the salaries for Judges and Munsifs. I think the whole of it comes to Rs. 66.40 lakhs. Then there is another small item which is not included in this Demand but should go to administration of civil justice and they are Revenue Courts, the Sub-Divisional Magistrates have something to do with the administration of civil justice. They deal, for instance, with cases under the Estates Land Act. I have estimated that these magistrates would spend about one-sixth of their time in administering civil justice and have allocated one-sixth of Rs. 20.08 lakhs or Rs. 3.34 lakhs for civil justice. The total comes now to Rs. 69.74 lakhs. The Government may say they have spent so much money on buildings. I am prepared to consider that question also, because I do not want that the general tax-payer should pay to any extent for the administration of civil justice, because after all the litigant is bound to pay for his litigation. I roughly calculate that the Government have spent about Rs. 68 lakhs as capital expenditure on buildings. I have included the whole of that item under civil

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justice and in doing so, I have erred in favour of the Government. I arrived at that figure as follows. They have spent Rs. 30 lakhs on the High Court. In spite of our fight with the Government, they have spent Rs. 6 lakhs for the Small Causes Court. The district courts cost Rs. 26 lakhs at the rate of one lakh each and 30 Sub-Courts cost 4·5 lakhs at the rate of 15 thousands each. There are 143 munsifs' courts costing 1·43 lakhs at Rs. 10,000 each. It is how I got Rs. 68 lakhs as the cost of buildings. And in the case of buildings, I have taken the whole amount on the side of the administration of civil justice without putting a single pie on the side of criminal justice. If I have erred in this, I have erred only in favour of the Government. Interest on this amount at 5 per cent comes to Rs. 3·4 lakhs. Depreciation charges including the cost of repairs calculated at one-tenth of the cost of buildings come to Rs. 6·8 lakhs. The cost of pensions also should be included in this calculation. I have put it at 15 per cent of the amount paid by way of salaries (Rs. 69·74 lakhs) and it comes to Rs. 10·46 lakhs.

“ I have taken 15 per cent of the amount of money that is paid by way of salaries, etc., for pensions. Here again I have erred on the side of the Government. Thus the whole total comes to Rs. 90,40,000. The expenditure which the Government incurs on the Administration of Civil Justice is Rs. 90,40,000. Let me now come to the question of the income the Government is making out of Administration of Civil Justice. From Judicial Stamps we are getting Rs. 1,46,35,000. There is another item in the Administration of Justice—that is Rs. 13,75,000. This income is derived mostly from magisterial fines and it ought to go to criminal courts but there is a small item in it, viz., that for printing and translation charges in the High Court which should be included in the income. This income comes to Rs. 2 lakhs. That comes to Rs. 1,48,35,000. There is a small item which has to be deducted from this. For criminal complaints you attach stamps worth 12 annas; for copy stamps used in criminal cases one has to pay three annas per copy. The whole amount that is spent for copy stamps is about Rs. 8 lakhs. The portion I allot for deduction on the above account is one lakh. Then I take the amount of expenditure incurred in realizing stamp duty. It consists of three items 1·22 lakhs, 71 lakhs and half of 26 lakhs for superintendence. That comes to Rs. 2·06 lakhs. The net income which the Government will thus make out of the sale of judicial stamps is Rs. 1,45,29,000. So expenditure being 90·40 lakhs as I have already showed Government is making a profit of 54·89 lakhs. I wished to err on the side of the Government in calculating these figures. What I urge upon this Government is that the Administration of Civil Justice ought not to be made a source of taxation. I think they should collect tax only to the extent required for meeting expenditure.

“ It is rather unfortunate that at the time when the Government increased stamp duties, this point was not very clearly put forward to the Government. At a moment of great stress, at a moment when the Government wanted that its revenues should be increased, this Council was too generous to grant the Government increase by way of increased court-fees on the understanding I believe—although the Government

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now denies it, there is nothing in writing—that the Government should reduce the rates to the old level when the Government has got more money at its disposal. There were times when the Government had plenty of money; it never tried to reduce the court-fees in spite of the repeated attempts on the part of this Council. The Government apparently does not think that it is doing anything wrong by thus taxing the litigant. When the times were good and favourable, the Government should have attempted to reduce the court-fees; it did not do so. The Government does not think that there is anything wrong in its policy in this matter. I want that the Government should come forward and say what is the policy behind it, whether it believes in the desirability of making a profit, whether civil litigation is to be considered a form of taxation. Or let it come forward and say that it is not its policy to make a profit and as a fact it is not making any profit. Of course the Government ought not to incur any expenditure out of its general revenues for administration of civil justice. I believe it is making a profit as I have shown and it ought not to do so. The Government was not kind enough to supply the figures we wanted.

“With regard to the other question—non-judicial stamps—I say it is purely a question of taxation. If people enter into transactions such as sales or mortgages, such transactions may be taxed. This is one of the ways by which every civilized Government gets some revenue. I do not think it is a bad form of taxation. But my only complaint is that the times are so bad; the time is come when, with regard to non-judicial stamps also, the Government should reduce the rates. These sales and mortgages are entered into between the debtor and the creditor not on cash basis but to settle the amounts due already, to protect oneself against insolvency. Where the property is worth only Rs. 1,000 and when the debtor has to pay Rs. 4,000 or Rs. 5,000, the debtor enters into a transaction with the creditor not for the real value but for the face value. I say that this is not really the time when the Government should think of this form of taxation at a high rate. This question has been discussed many a time in this Council and the Government did not think it fit then to reduce the rates. I am only keen on finding out whether the Government has any policy behind it in the matter of decreasing or increasing the court-fee stamps. I want to know whether the Government wants to tax civil litigation for the purpose of increasing the general revenues. It is a form of service rendered by the Government for which it should be given the amount necessary for rendering that service; but it should not make a profit out of it. I am prepared to pay to the Government as much as it is necessary, including buildings, interest and depreciation on them. I want to find out from the Government whether my figures are correct or not. The Government should state what its policy is; if that is known, we may find out fairly well that in future if the expenditure comes down, the value of the stamps will go down too.

“In this connexion I want to impress one point on the attention of the Government. The question of high salaries comes in, in this connexion also. Whether we consider the policy of the Government with

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regard to irrigation, or electric schemes, etc., we are faced with the question of the high salaries. On account of the high salary the Government pays for its officers, schemes of irrigation are accounted to be unremunerative. Of course civil litigation ought to pay the expenditure the Government incurs on civil litigation. The question is whether it is just and proper that the Government should pay such high salaries to its officers and make civil litigation pay by way of increased court-fee stamps. In connexion with this point I wish that the Government should address itself to the question whether it is not possible to decrease the salaries of officers in the Judicial department, so that the cost of stamps and hence of litigation may be reduced. With these words I commend my motion to the acceptance of the House."

MR. BASHEER AHMED SAYEED :—" Sir, it is already late; I will not take a very long time. What I wish to point out on this occasion is not what my hon. Friend has stated already. But there is a possibility of reducing the present scale of both judicial and non-judicial stamp duties. I have been repeatedly pointing out to the Government that by a revision of the present scale of fees for court-fees and stamp duties, the Government need not have to incur any loss. Such suggestions have already been made to the Government in reports, particularly, the Taxation Enquiry Committee's report; the existing scale of fees can be so revised as to lighten the burden on the litigant and still not affect the revenues of the Government. The Taxation Enquiry Committee was presided over by a very able man and composed of very able gentlemen; the evidence that has been recorded is from experienced people connected with the judicial administration of justice; that report ought to receive some attention from the Government with regard to its recommendations. It is only a decade old. Although time and again we have been insisting upon the Government to show some regard to the recommendations made therein, we find that it has all along been a cry in the wilderness. The other day the Hon. the Finance Member stated that even the stamps revenue is on the decrease. Is it not worth while to find out what exactly is the cause of this decrease in the revenue? The Government can devise some methods which will improve the revenues of the Government. I am not in the least going to propose that we should reduce the rates so as to reduce the income of the Government. Ways and methods for this purpose have been suggested for the benefit of the Government. I only urge that these recommendations should be explored by the Government so as to see that the Government do not suffer any loss. On the other hand those proposals would add to the revenues of the Government. Now, Sir, the general incidence of taxation on the litigant is very great. Recently the High Court in its jurisdiction has revised the scales of court-fees for suits to be filed both on the original and appellate sides of the High Court. That increase of court-fees has affected detrimentally the revenues of the Government. The number of suits that are usually filed, have not been filed ever since the increase has been made. The increase in the rates of court-fees has been very nearly 50 per cent. That increase has reduced the number of suits filed and such reduction means reduction in the revenue of the

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Government. If on the other hand, the court-fees are reduced, there is every chance of the number of suits increasing. The Government have of course reduced the court-fees for small cause suits considerably. But still that considerable reduction has not improved matters. That is not what I want. On the original side both in the presidency town as well as in the districts, it is necessary that the initial payment of court-fees should be reduced. But what are the ways by which you can at every stage recover money from the litigant for the work done by their officers? There are a number of suits which take very long days; some suits take only an hour or two hours. If you are going to have a sliding scale as to tax the man who taxes the time of the court and of the judges, greatly and tax the man lightly who takes a short time of the court and judges, you can increase the revenues of the Government and reduce the general incidence of taxation. Then there will also be the possibility of the public morale improving. There are suits which are purposely dragged. If such a system were to come into existence, there will be an end to very lengthy litigation."

The House then adjourned to meet again on Monday at 11 a.m.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

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